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H – 1239

International Court of Justice

G.L.

Filed Jan. 14, 1944
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O.K. - MBH

H-1239

INTERNATIONAL MILITARY TRIBUNAL

DOCUMENT BOOK

LL

WILHELM FRICK

ROBERT H. JACKSON
U.S. CHIEF OF COUNSEL

OF COUNSEL: KARL E. LACHMANN
ATTORNEY

PREPARED BY: OFFICE U.S. CHIEF OF COUNSEL
SECTION V
DR. R. M. W. KEMPNER, CHIEF

H1239-0001A

H1239-0002

LIST OF DOCUMENTS IN DOCUMENT BOOK
OF CASE AGAINST WILHELM FRICK
(EXCEPT CERTAIN DECREES)

Doc. No.	Exhibit No.	Description
D-43		Official Circular dated 26 May 1936, referring to Frick's Order.
* D-44	USA-428	Circular dated 25 July 1933 referring to an order of Frick prohibiting public mention of SA activities likely to be construed as violations of Versailles Treaty.
D-181		Circular referring to Frick Ordinance of 22 August 1936 regulating application of Law of Sterilization to Party members.
L-82		Decrees of 26 April 1933, 30 November 1933, 10 February 1936, on the organization of the Gestapo.
L-83		Affidavit of Gerhart H. Seger, 21 July 1945, item 8 (e)
L-302		Dr. Werner Spohr: The Law of Protective Custody (Berlin, 1937) p. 11-13, discussing Frick's Ordinance of 12 April 1934, issued under Law of 28 February 1933 (RGBl 1933, Part I, p. 83)
L-305		Correspondence re: Compulsory sterilization on orders of Ministry of Interio of all descendants of colored occupation troops.
374-PS		Series of secret teletype orders by Heydrich.
388-PS	USA-26	Hitler Order of 10 September 1938 placing Labor Service under OKW ("Fall Gruen" - Item 20, p. 44)
405-PS		Law on the Trustees of Labor, 19 May 1933 (RGBl, 1933, Part I, p. 285)
* 615-PS		Letter from Bishop of Limburg on Killings at Hadamar Asylum.
* 621-PS		Letter from Dr. Lammers to Minister of Justice on Deaths of Nursing Home Inmates
647-PS	USA-443	Hitler Order, dated 17 August 1938 regulating the functions of the SS which "have entered into close connection with the duties of the German Police" in the Ministry of Interior.
680-PS		Letter by Frick to heads of Agencies, dated 5 May 1938 proposing methods for invalidating the Concordat between Austria and the Holy See.
779-PS		Directive by Frick, regulating "protective custody", dated 12 April 1934.

H1239 - 0003

LIST OF DOCUMENTS IN DOCUMENT BOOK
OF CASE AGAINST WILHELM FRICK
(EXCEPT CERTAIN DECREES) Cont'd.

Doc. No.	Exhibit No.	Description
* 1039-PS	USA-146	Rosenberg Report on Preparations of Administration of Russian Territories to be Invaded.
1060-PS		Decree of 16 March 1938 (RGBl, 1938, P. I, page 249) par. 1 (1)
1249-PS		Ordnance of 1 June 1942 issued under the Decree of 4 December 1941.
* 1366-PS		Decree of 29 August 1943 on the position, duties, and authorities of the Reich Protector in Bohemia and Moravia, in: Budget of the Reich Protectorate for 1944: Introduction.
1388-PS		Law of 14 July 1933 (RGBl 1933, P. I, p. 479) on the confiscation of property inimical to Nation and State.
* 1388A-PS		Law of 14 July 1933 (RGBl, 1933, P. I, p.479) outlawing all other parties.
1389-PS		Law of 26 June 1935 (RGBl, 1935, P. I, p. 769), setting up a compulsory Labor Service to be administered by the Ministry of Interior.
*,1390-PS		Law of 28 February 1933 (RGBl, 1933, P. I, p. 83) limiting the freedom of speech and abolishing the inviolability of the person.
1393-PS		Law against Treacherous Attacks on State and Party, 20 December 1934 (RGBl, 1934, p. I, p. 1269)
* 1395-PS		Law to Secure the Unity of Party and State, 1 December 1933 (RGBl, 1933, P. I, p. 1016) providing that all government agencies should "lend legal and administrative aid to the Party Agencies".
1396-PS		Law of 26 May 1933 (RGBl, 1933, P. I, p. 293) on the confiscation of Communist property.
* 1397-PS		Civil Service Act of 7 April 1933 (RGBl, 1933, P. I, p. 175) providing in Pars. 3 and 4 for the elimination of Civil Servants on the basis of religious or political beliefs.
1398-PS		Supplementary Civil Service Act of 20 July 1933 (RGBl, 1933, P. I, p. 518).
1403-PS		Law of 9 December 1937 (RGBl, 1937, P. I, p. 1333) providing for the confiscation of all labor union property in favor of the German Labor Front.

H1239 -0004

LIST OF DOCUMENTS IN DOCUMENT BOOK
OF CASE AGAINST WILHELM FRICK
(EXCEPT CERTAIN DECREES) Cont'd.

Doc. No.	Exhibit No.	Description
1409-PS		Decree of 3 December 1938 (RGBl, 1938, P. I, p. 1709)
1416-PS		Reich Citizen Law of 15 September 1935 (RGBl, 1935, P. I, p. 1146) depriving Jews of their citizenship rights.
1417-PS		First Ordinance under Reich Citizen Law, 14 November 1935 (RGBl, 1935, P. I, p. 1333) depriving Jews of the right to vote.
1422-PS		Ordinance of 1 July 1943 (RGBl, 1943, P. I, P. 372)
1437-PS		Frick Ordinance under Law on Reunion of Austria with Reich, dated 18 March 1938 (RGBl, 1938, P. I, p. 262) authorizing Himmler to take security measures without regard to previous legal limitations on his authority.
1482-PS		Secret Circular of Frick, addressed inter alios to Prussian Gestapo, subjecting Catholic Youth Organizations to severe restrictions.
1498-PS		Order of Frick, dated 6 November 1934, addressed inter alios to Prussian Gestapo prohibiting the publication of Protestant Church announcements.
1551-PS		Order of Himmler, dated 26 June 1936 (Reichsministerialblatt (Ministry of Interior Gazette) 1936, pp. 946-948) authorizing Security Police Chief Heydrich and Regular Police Chief Daluege to sign "by order of the Minister of the Interior".
1556-PS		Report dated December 1941, naming defendant Frick as one of the originators of secret law authorizing the killing of sick and aged persons.(Czechoslovak report
1637-PS		Himmler's order of 23 June 1938, providing that police officers may be employed by the SS while retaining their police function.
1638-PS		Ministry of Interior Decree, dated 11 November 1938 (Reichsministerialblatt (Ministry of Interior Gazette) 1938, p. 1906) providing for cooperation of all authorities with SD and RSHA.
1643-PS		Documents showing Frick's participation in the confiscation of land for the establishment of the Auschwitz Extermination Camp.
1652-PS		Law against Treacherous Attacks on the Government of the National Revolution, 21 Mar. 1933 (RGBl, 1933, P.I, P. 135).

H1239 - 0005

LIST OF DOCUMENTS IN DOCUMENT BOOK
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(EXCEPT CERTAIN DECREES) Cont'd.

Doc. No.	Exhibit No.	Description
1654-PS		Law of 16 March 1935 (RGBl, 1935, P. I, p. 369) reintroducing universal military conscription.
1660-PS		Decree for Registration for Active Service in Austria in the year 1938 of 16 June 1938 (RGBl 1938, Part 1, p. 631.)
1662-PS		Decree of 12 November 1938 (RGBl 1938, P. I, p. 1580).
1680-PS	USA-477	"Ten Years Security Police and SD" in: "Die Deutsche Polizei" (Official Police Magazine), 1 February 1943: describing the history of the Political Police in theMinistry of the Interior. pp. 42-44.
1696-PS		Correspondence with Ministry of Interior showing unexplained deaths of insane persons.
1723-PS	USA-206	Frick's Decree of 25 January 1938 regulating protective custody, in: "Verfügungen, Anordnungen, Bekanntgaben" (Central Publishing House of the NSDAP, Munich, 1937) Vol. II, pp. 430-439.
1770-PS		Law on Factory Representatives, 4 April 1933 (RGBl, 1933, P.I, p. 161)
1816-PS	USA-261	Minutes of conference on confiscation of Jewish property, 12 November 1938, p. 19.
1850-PS		Conferences, 1933, calling for the financing of the military training of the SA from Ministry of Interior funds.
1852-PS	USA-449	Dr. Werner Best: "Die Deutsche Polizei" (The German Police) (1941) chart facing page 110, showing that the RSHA is under the jurisdiction of the Minister of Interior.
1861-PS		Law on the Regulation of National Labor, 20 January 1934 (RGBl, 1934, P.I. p. 45)
1969-PS		Correspondence with Interior Ministry re: Killing of Insane Persons.
2000-PS		Law for the Protection of German Blood and Honor of 15 September 1935 (RGBl, 1935, P.I, p. 1146) prohibiting mixed marriages.
2003-PS		Law of 1 August 1934 (RGBl, 1934, P.I. p. 747) consolidating the positions of Chief of State and Leader of the Party.
2004-PS		Temporary Law for the Coordination of the States with the Reich of 31 March 1933 (RGBl, 1933, P.I, p. 153).

H1239 - 0006

LIST OF DOCUMENTS IN DOCUMENT BOOK
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(EXCEPT CERTAIN DECREES) Cont'd.

Doc. No.	Exhibit No.	Description
2005-PS		Law for the Coordination of the States with the Reich of 7 April 1933 (RGBl 1933, Part I, p. 173)
2007-PS		Second Reich Governor Law of 30 Jan. 1935 (RGBl, 1935, P.I, p. 65)
* 2008-PS		German Municipality Act of 30 Jan. 1935 (RGBl, 1935, P.I, p. 49)
2018-PS		Decree of 30 August 1939 (RGBl, 1939, P.I, p. 1539). establishing Ministerial Council.
2058-PS		Frick Decree of 7 July 1933 (RGBl, 1933, P.I, p. 462) voiding mandates of all Social-Democratic candidates elected to Reich, State, and local diets.
* 2073-PS		Decree of 17 June 1936 (RGBl, 1936 P.I, p. 487) creating a German Police and making Himmler its Chief under Frick.
2108-PS		Decree of 12 February 1936 (Preussische Gesetzsammlung (Prussian Law Collection) 1936, No. 14309) signed by Frick, establishing Gestapo jurisdiction especially over concentration camps and political police information.
2118-PS		Decree of the Minister of Interior, 1 September 1941 (RGBl, 1941, P.I. p. 547), on identification of Jews.
2119-PS		Decree of 16 March 1939 (RGBl, 1939, P.I, p. 485) Bohemia and Moravia: Art. 13.
* 2194-PS	USA-36	Reich Defense Act of 4 September 1938 (Not Published) Par. 3.
* 2245-PS		Frick Decree of 20 September 1936 (Reichsministerialblatt (Ministry of Interior Gazette) 1936, pp. 1343-1344) reserving to himself authority to appoint inspectors of Security Police and ordering their close cooperation with Party and Army.
* 2307-PS		Decree of 13 March 1938 (RGBl, 1938, P.I, p. 237), Art. III: Austria.
2380-PS		N.S. Jahrbuch (N.S. Yearbook) (1935), p. 212-214.
2381-PS	USA-476	Der Grossdeutsche Reichstag (The Greater German Reichstag) (1943), p.211.
* 2385-PS	USA-68	Affidavit of George S. Messersmith, 30 August 1945, p. 4 (

H1239 - 0007

Doc. No.	Exhibit No.	Description
2403-PS		Dokumente der Deutschen Politik (Documents of German Politics) Vol. I, pp. 55-56: "The End of the Party State".
* 2513-B-PS	USA-235	Confidential Report on Frick's Speech of 18 October 1929, Police Division, Prussian Ministry of Interior, 1930, by R. M. W. Kempner.
* 2608-PS	USA-400	Frick's lecture of 7 March 1940 on "The Administration in Wartime".
2679-PS		Decree of 20 May 1938 (RGBl, 1938, P.I, p. 594) introducing Nürnberg Laws in Austria.
2742-PS		N.S. Jahrbuch (N.S. Yearbook) (1937) p. 124
* 2978-PS	USA-8	Frick's Statement of Offices and Positions, 14 November 1945.
2986-PS		Frick's Affidavit of 19 Nov. 1945.
3043-PS		Frick's Affidavit of November 1945, (Sworn to 5 Jan 46.)
* 3051-PS	USA-240	Series of Heydrich Orders re Organization of Pogrom.
* 3058-PS	USA-508	Heydrich Report on loss of Jewish life and property resulting from pogrom.
3085-PS		Himmler Ordinance of 3 July 1943, charging Gestapo with execution of Thirteent Ordnance under Reich Citizen Law (Ministry of Interior Gazette, 1943, p. 1085)
3086-PS		Das Archiv, August 1943, p. 347. Appointment of Frick as Reich Protector.
* 3119-PS		Dr. Frick und Sein Ministerium (Frick and His Ministry) (Central Publishing House of the NSDAP, 1937).
3123-PS		Taschenbuch fuer Verwaltungsbeamte (Pocket Guide for Administrative officials) 1943.
3124-PS		Rudolf Hess: "Reden" (Speeches) (Central Publishing House of the NSDAP, 1940) pp. 216-17.
3125-PS	USA-256	Adolf Hitler: Mein Kampf, p. 403, (39th Ed., Munich 1933).
3127-PS		N.S. Monatschefte (N.S. Monthly) 1937, p. 346.
3128-PS		Unsere Reichsregierung (Our Reich Cabinet) (1936).
3131-PS		Stuckart and Schiedermair: "Rassen und Erbpflege in der Gesetzgebung des Deutschen Reiches" (Race and Heredity Care in the Legislation of the German Reich) (1943) p. 14.

H1239-0008

LIST OF DOCUMENTS IN DOCUMENT BOOK
OF CASE AGAINST WILHELM FRICK
(EXCEPT CERTAIN DECREES) Cont'd.

Doc. No.	Exhibit No.	Description
3132-PS		Volz, Dr. Hans: "Daten der Geschichte der NSDAP" (Dates of the History of the NSDA) (1939)
3225-PS		Stuckart and Schiedermeir: "Das Neue Staatsrecht" (The New Public Law) (1942) Vol. II: p. 86.
3258-PS		"National Socialism" (U.S. Government Printing Office, Washington 1943).
3303-PS		Handbuch fuer das Deutsche Reich (Handbook of the German Reich) (1936), p. 116.
3304-PS		Frick's Order of 2 November 1939 (RGBl. 1939, P.I, p. 2133) par. 2 (1).
3399-PS		Affidavit of R.M.W. Kempner, dated 11 December 1945.
3443-PS		Supplement No. 5 to the official Czechoslovak report, containing an official memorandum on the activities of defendant Wilhelm Frick.
3475-PS ✓		Manual for Administrative Officials. (1943)
3564-PS ✓		Affidavit of Otto L. Meissner of 27 December 1945 re defendant Wilhelm Frick.
3565-PS ✓		Affidavit of Franz Ritter von Epp of 27 December 1945 re Defendant Wilhelm Frick.
3570-PS ✓		Excerpts from Interrogation Testimony of Wilhelm Stuckart at Oberursel, 21 September 1945.
3589-PS ✓		Supplement No. 6 to Official Czechoslovak Report called "German Crimes Against Czechoslovakia".
3592-PS ✓		Charges, specifications, findings and sentence of Alfons Klein and others tried at Wiesbaden, Hadamar Case.
3593-PS ✓		Excerpts from Interrogation of Hermann Goering 13 October 1945.
R-96 ✓		Documents showing the history of the Decree of 4 December 1941.
R-101 ✓	USA-358	Correspondence of SD, dating 1940 [illegible], re: confiscation of Church property.

H1239 - 0009

TRANSLATION OF DOCUMENT NO. D 43
OFFICE OF U S CHIEF OF COUNSEL

NSDAP District Bremen
Holler Allee 79
Tre./H.
District-Organization-Leader

Bremen 26 ~~March~~ May 1936

O-Circular - Nr. 41/36.

To all Local- (Ortsgruppen-) and Stuetzpunkt-Leaders.

Confidential

Subject: Reichstag elections on 29 March 1936

In virtue of a demand by the Secretary of the Interior, Party-member Dr. Frick, a report was to be made on civil servants who did not perform their duties in voting on 29 March.

As far as such cases are know in your Ortsgruppe or in your Stuetzpunkt you will report them to me by name till latest 3 June. The information will have to be correct under all circumstances. If there are any doubts in regard to the correctness or if there exists any suspicion that civil servant did not vote a note will have to be made with these names so that I can check with the lists here. In correctnes will have to be stated if necessary.

This circular has to be destroyed immediately after this matter is settled.

Heil Hitler!

(illegible)
District-organization-Leader

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. D 43

29 November 1945

I, GOETZ MAYER, T/5, 33812169, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true und correct translation of Document No. D 43.

GOETZ MAYER
T/5, 33812169

H1239-0010

D-44

TRANSLATION OF DOCUMENT D 44
OFFICE OF U.S. CHIEF OF COUNSEL

COPY

Supreme Command of the SA.

Chief of Staff

Z No. 1393/33

MUNICH

25 July 1933.

SECRET

Distribution III

Re: - Publications on the SA

Further to my instruction Z II 1351/33 dated 11 July 33, I find cause to ask all SA authorities to exercise the greatest caution with regard to any publicity given to the SA service not only in the press, but also in the information and news sheets of the individual SA units.

Only during the last few days, the Reich Ministry of the Interior, at the request of the Foreign Office, has given strict instructions to all Reich authorities according to which the most severe control is to be exercised on all publications which might give other countries an opening to construe German infringements of the terms of the Versailles Treaty.

As is known from the Geneva negotiations, our opponents have piled up material collected in Germany and submitted to them, which they use against us on every occasion during the conferences.

From this point of view, the information sheets circulating among the subordinate SA units cause the liveliest concern. I hold all higher SA leaders responsible that any such internal information sheets appearing in the district of their command are submitted to the most stringent control before they go into print, and I feel compelled to draw attention to the threat of a prosecution treason, pronounced by official instructions issued in the last few days, in cases where such reports, printed no doubt in good faith, are publicized and therefore exposed to the danger of falling into the wrong hands.

On principle, picture of the technical specialized units of the SA and SS, in particular of the signal and motorized companies and possibly also of the separate air wings etc., are forbidden, such pictures enabling other countries to prove the alleged formation of technical troop units.

for Chief of Staff:-

SEYDEL

Gruppenfuehrer and Chief of the
Central Department

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. D 44

21 November 1945

I, S/SGT CHARLES E. BIDWELL, 13146054, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. D 44

CHARLES E. BIDWELL
S/Sgt, 13146054

H1239 - 0011

TRANSLATION OF DOCUMENT D - 181
OFFICE OF U.S. CHIEF OF COUNSEL

NATIONAL SOCIALIST GERMAN WORKERS' PARTY.

GAULEITER WESTFALEN - SOUTH
cleical Dept. Ru/Z
Circular letter No. 83/37.

(Rubber stamp of Kreisleiter (Coutry Leader) for Siegerland District acknow ledging receipt 23 Jan 1937)

Reference:
Hereditary Health Law.

Bochum, 21 Jan. 37

Following instractions of the Deputy Gauleiter, I herewith inform you, by copy, of a circular letter of the Deputy of the Fuehrer, dated 14 Jan. 1937, No. 10/37.

In the decree of the Reich and Prussian Minister of the Interior, dated 22 Aug 36, regarding the application of the law for the prevention of descendants with hereditary diseases, Civil Service doctors are instructed to consult with Hereditary Health Law being instituted against a Party member. They will do so before making an application for sterilization on the grounds of congenital imbecility.

The question whether the person is an imbecile cannot be ascertained solely by carrying out an intelligence test, but requires detailed evaluation of the whole personality of the human being. This review shall not only take into consideration the knowledge and intellectual abilities of the presumed imbecile, but also his ethical moral and political attitude. A number of Civil Service doctors have, up to date, attached little importance to the reviewing of the personality as a whole. They have, up to now, hardly ever called for or used information regarding the political conduct of the supposed patient with hereditary disease.

Now that the Party, by virtue of the decree of the Reich and Prussian Minister of the Interior, is consulted in the proceedings on matters of hereditary diseases against Party members, it is the task of all Gauleiters to ascertain that the law regarding hereditary health will, in fact, be used in the sense in which it was designed. School masterly examination is not to be alone decisive in judging whether a person concerned is an imbecile. It is, in fact, to be ascertained as well, how the person concerned behaves in daily life, whether he can meet the demands which life makes on an average person, and whether he can be regarded as a full member of the community. If the Gauleiter, on the basis of this examination of the personality as a whole of the Party member, comes to the conclusion that the Law For The Prevention of Descendants with Hereditary Diseases is applicable, he must then investigate whether the person about to be sterilized has achieved very outstanding merits for the National Socialist Movement. If the Gauleiter reaches this conviction and feels that he must use his influence to prevent the sterilization, he will report to this department, giving a detailed explanation of the reasons which speak against sterilization.

The R ich and Prussian Minister of the Inter ior has ordered that Civil Service doctors will report to him any cases where the opinion of the Gauleiter differs from that of the medical officer.

So as not to delay proceedings under the Hereditary Mealth Law unnecessarily, I also request information and explanation on each one of these cases, stating the reasons which have led to the difference of opinion.

H1239 - 0012

TRANSLATION OF DOCUMENT D - 181
OFFICE OF U.S. CHIEF OF COUNSEL
(Cont.)

The Department for National Health (Amt fuer Volksgesundheit) is to carry out preparations for the decision of any case concerning Hereditary Health which has to be put before the Gauleiter. All matters of hereditary health will be treated as urgent and secret.

Particular attention will be drawn in each case to the obligation of maintaining necrecy.

I request that reports be made to me from time to time regarding experience gained in dealing with matters of hereditary health.

I request you treat above exposition as strictly confidential, and only for your own personal information.

Heil Hitler!

(signed) (Ruschenburg(?)

Distribution:
Gauamtsleiter, (Regional Bureau Chiefs)
Gauinspekteure, (Regional Inspectors)
Kreisleiter, (Country Leaders)

CERTIFICATE OF TRANSLATION
OF DOCUMENT D - 181

28. November 1945

I, PAUL W. FREEDMANN, S/Sgt., 33 799 122, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document D - 181.

PAUL W. FREEDMANN
S/Sgt.
33 799 122.

H1239 - 0013

COPY OF DOCUMENT L-82
--OFFICE OF U S CHIEF OF COUNSEL

S E C R E T

Law concerning the Establishment of a Secret State Police Office
of April 26, 1933
(Preussische Gesetzsammlung, 1933 p.122)

The State Ministry has resolved on the following Law:

Section 1

(1) The Secret State Police Office, with headquarters in Berlin, is established in order to carry out the duties of the political police along with or in place of the regular police authorities (Section 2, paragraph 1 of the Code of Police Administration of June 1, 1931, Gesetzsammlung p.77). The Secret State Police Office has the rank of a provincial police authority (Landespolizeibehoerde) and is directly subordinate to the Minister of the Interior.

(2) The Minister of the Interior determines the functional and territorial jurisdiction of the Secret State Police Office.

(3) The regulations of the Code of Police Administration of June 1, 1931 concerning appeals against orders of the provincial police authorities are applicable insofar as the District Administrative Court in Berlin always has jurisdiction over appeals in administrative lawsuits against orders of the Secret State Police Office.

Section 2

Within its jurisdiction, the Secret State Police Office can make requests to all police authorities for police action.

Section 3

The Minister of the Interior issues those regulations necessary for the execution of this law. He acts in conjunction with the Minister of Finance in the case of regulations concerning the number and type of officials and employees who are to be assigned to the Secret State Police Office.

Section 4

The law goes into effect on the day after its promulgation.

Berlin, 24 April, 1933

(Seal)

The Prussian Ministry of State
Goering Popitz
also for the Minister of the Interio

The above law, resolved by the Prussian State Ministry, is herewith promulgated.

Berlin, 26 April, 1933

For the Reich Chancellor:
The Prussian President of the
Ministerial Council
Goering

H1239 - 0014

COPY OF DOCUMENT L-82
OFFICE OF U S CHIEF OF COUNSEL
(ont'd)

S E C R E T

Law on the Secret State Police
of November 30, 1933
Preussische Gesetzsammlung, 1933 p.413

Text of the Law, Preussische Gesetzsammlung
1933, p. 413

The State Ministry has resolved the following law:

Section 1

(1) The Secret State Police is an independent branch of the Administration of the Interior. The President of the Ministerial Council is its chief. He puts an Inspector of the Secret State Police in charge of current affairs.

(2) In case of absence, the State Secretary of the State Ministry acts as deputy for the President of the Ministerial Council in his capacity as Chief of the Secret State Police.

(3) The Inspector of the Secret State Police is also the chief of the Secret State Police Office.

Section 2

The jurisdiction of the Secret State Police covers all political police matters of the authorities of the general and interior administration. The President of the Ministerial Council, as Chief of the Secret State Police, will determine those particular matters which must be transferred to the Secret State Police.

Section 3

(1) With the enactment of this law the Secret State Police Office takes over those activities of the political police which were previously handled by the Ministry of the Interior.

(2) In matters concerning the Secret State Police the provincial , county and local police authorities are to comply with the directives of the Secret State Police Office.

H1239 - 0015

COPY OF DOCUMENT L-82
OFFICE OF U S CHIEF OF COUNSEL
(cont.)

Section 4

The Minister of Finance is empowered to make changes in the budget of the State, in order to carry out this law.

Section 5

Provisions of the law of April 26, 1933 (Gesetzsammlung 1933, p.122) which conflict with this law are superseded by this law.

Section 6

This law goes into effect on the day of its promulgation.

Berlin, 30 November 1933

(Seal)

The Prussian State Ministry
Goering Popitz
also as Minister
of the Interior

The above law, resolved by the Prussian State Ministry, is herewith promulgated.

Berlin, 30 November, 1933

For the Reich Chancellor:
The Prussian President of the
Ministerial Council
/ss/ Goering

S E C R E T

LAW CONCERNING THE SECRET STATE POLICE OF 10 FEBRUARY, 1936

Preussische Gesetzsammlung 1936, pp.21,22.

The State Ministry resolved on the following law:

Section One

(1) The Secret State Police has the duty to investigate and to combat, in the entire territory of the State, all efforts inimical to the State. Furthermore, it has the duty to collect and evaluate the result of the investigations, to inform the government of the State, and to keep other authorities informed of results of significance to them and make suggestions to them. The Chief of the Secret State Police will determine, in conjunction with the Minister of the Interior, which particular duties should be transferred to the Secret State Police.

(2) The jurisdiction of the organs of the regular administration of justice is not affected.

H1239 - 0016

COPY OF DOCUMENT L-82
OFFICE OF U S CHIEF OF COUNSEL
(cont.)

Section Two

(1) The President of the Ministerial Council is the Chief of the Secret State Police.

(2) The Deputy Chief of the Secret State Police appointed by the Chief takes charge of the official business for him.

Section Three

(1) The Secret State Police Office is the highest provincial authority (Landesbehoerde) of the Secret State Police. This office also has the powers of a provincial police authority.

(2) The Secret State Police Office has its seat in Berlin.

Section Four

On the provincial level (Mittelinstanz) the duties of the Secret State Police are performed by the State Police Offices for the individual provincial police districts. The duties of the Secret State Police at the border are performed by special border police agents. Otherwise the tasks of the Secret State Police are executed by the county and local police authorities in their capacity as auxiliaries of the State Police Offices.

Section Five

The State Police Offices are also subordinate to the competent Provincial Governors (Regierungspraesidenten). They must follow the directives of the latter and inform them about all police affairs which are of a political nature. The Chiefs of the State Police Offices are also political consultants of the Provincial Governors (Regierungspraesidenten).

Section Six

The Chief of the Secret State Police, in conjunction with the Minister of the Interior appoints and dismisses the officials of the Secret State Police according to the general Reich legal provisions for the appointment and dismissal of provincial officials.

Section Seven

Orders and matters of the Secret State Police are not subject to the review on the part of the administrative courts.

Section Eight

The Chief of the Secret State Police, in conjunction with the Minister of the Interior, will issue the regulations for the execution of this law.

Section Nine

The law on the establishment of a Secret State Police Office of 26 April 1933 (Gesetzsammlung 1933 p. 122), the Law on the Secret State Police of 30 November 1933 (Gesetzsammlung 1933 p. 413), and sections one to three of the Decree for the Execution of the Law on the Secret State Police of 8 March 1934 (Gesetzsammlung p. 143), are abolished.

Section Ten

This law takes effect on the day following its promulgation.

Berlin, 10 February 1936
THE PRUSSIAN STATE MINISTRY

(Seal)

GOERING FRICK

With the agreement of the Reich Cabinet I promulgate, in the name of the Reich, the above law for the Fuehrer and Reich Chancelor

Berlin, 10 February 1936

THE PRUSSIAN PRESIDENT OF
THE MINISTERIAL COUNCIL

G o e r i n g

S E C R E T

DECREE FOR THE EXECUTION OF THE LAW ON THE SECRET STATE POLICE OF 10 FEBRUARY 1936

(Preussische Gesetzsammlung 1936, p.22)

The following is decreed on the basis of Sections One and Eight of the Law on the Secret State Police of 10 February 1936 (Gesetzsammlung 1936, p.21):

Section One

The Secret State Police has the authority to make police investigations in high treason and treason cases and in cases involving explosives (Sprengstoffsachen) and in other cases of criminal attacks on Party and State.

Section Two

1) The Secret State Police Office has the authority to enact, within the juristiction of the Secret State Police, measures within the entire area of the Province and measures affecting the entire area of the province.

2) The Secret State Police Office takes care of the authorized powers of the highest provincial authority in matters concerning the Lawon Fire-arms and Munition of 13 July 1928 (RGB I, p. 198).

3) The Secret State Police Office is the central office for collecting political-police intelligence.

H1239 - 0017

COPY OF DOCUMENT L-82
OFFICE OF U S CHIEF OF COUNSEL
(cont.)

4) The Secret State Police Office administers the concentration camps of the State.

(Sections Three to Fifteen)
(Not Pertinent)

Berlin, 10 February 1936

President of the Prussian Ministerial Council

G O E R I N G

The Reich and Prussian Minister of the Interior

F R I C K.

I, Audrey Flandreau, Civ. X 046305, hereby certify that I am thoroughly conversant with the German and English languages; that the above is a true and correct translation of Document L-82.

A.Flandreau, Civ. X 046305

H1239 - 0018

DOCUMENT NO. I-83

H1239-0019

City of Washington)
) ss:
District of Columbia)

Gerhart H. Seger being first duly sworn deposes and says:

1. I was born in Leipzig, Germany, in 1896 and lived there until my induction into the German Army in 1915. I was successively attached to the Cavalry, Infantry and Air Force, and concluded my military service as a pilot in the German Air Force. I experienced a considerable amount of combat flying duty, was shot down over France in August 1918. I received several decorations, one of which was the highest medal awarded by the Austrian government. Following my demobilization from the Army I attended Leipzig University where I received a degree in journalism in March 1920. Thereafter I became editor of a newspaper in Berlin in the period 1920-1923. After that I held a position with the German Peace Society until 1928, edited a paper in Dessau during the period 1928-1933, and was elected to the Reichstag in 1930.

2. During the period after World War I up until my commitment to the Leipzig jail and Oranienburg concentration camp in the spring of 1933 following the Nazis' accession to power in January of that year, my business and political affiliations exposed me to the full impact of the Nazi theories and practice of violent regimentation and terroristic tactics. My conflicts with the Nazis by virtue of my identification with the peace movement, and as a duly elected member of the Reichstag representing a political faith (Social Democratic Party) hostile to National Socialism, clearly demonstrated that, even in the period prior to 1933, the Nazis considered crimes and terrorism a necessary and desirable weapon in overcoming democratic opposition. The knowledge acquired as a result of these personal experiences during the period eventuating in successful culmination of the Nazis' efforts to seize power led me to a realization of some of the fundamental purposes and objectives which that group sought to accomplish by the systematic adoption of these tactics. The lapse of time attested the validity of that realization. While rarely openly articulated during the period embraced by my personal knowledge, the overt actions and studied practices of the Nazis could be directed to only one goal; namely, the perfection of rigid control over Germany as a preliminary step to dominance in Europe, and, possibly, eventual world hegemony. At that time the basic pattern was in process of formulation. The following aspects of that pattern were evidenced by the actions of the Nazis which came within the scope of my personal experience:

(a) Destruction of political resistance to the Nazi ideology by terrorizing, confining, and destroying democratic opposition elements.

(b) Division of German citizenry on a racial basis and discrimination against those who were adjudged not to be of German blood.

(c) Unlawful appropriation, spoliation, and forced sale of property for the personal enrichment of Nazis and for the purpose of establishing, solidifying, and maintaining internal control in Nazi hands.

(d) Destruction of racial minorities and political opponents through systematic underfeeding, deprivation of a livelihood, clothing, shelter, food and medical care; deportation of forced labor; work under inhumane conditions.

While the attainment of power was a necessary condition to the full flowering of the Nazi criminal and terroristic methodology, the outcroppings of such a policy were visible in the years preceding 1933. Specific overt acts, within the scope of my personal knowledge, which evidence the Nazis' belief at that time that the use of force, regimentation, and terrorism was necessary to the accomplishment of their purposes, are included in this statement.

3. In 1923 my interest in the German peace movement induced me to accept the position of Secretary General of the Deutsche Friedensgesellschaft which was the leading organization within Germany advocating compliance with the terms of the Treaty of Versailles on the part of Germany. At that time the important policy issue before the German public was whether Germany should conscientiously fulfill its obligations under the Treaty of Versailles with a view to obtaining its gradual revision in a peaceful manner or whether there should be a concerted, albeit clandestine, effort to sabotage the Treaty. The Peace Society with which I became affiliated advocated adherence on the part of Germany to the Treaty of Versailles and a policy of reconciliation with former allies. Espousal of these principles enabled this organization to make a substantial contribution to the cause of peace. Its president, Dr. Ludwig Quidde, the Historian of Munich University, was awarded the Nobel Peace Prize in 1925. In its opposition to clandestine militarism the tenets of this organization were diametrically opposed to the principles and practices of the National Socialist Party. The latter party and sympathetic militaristic interests evolved the theory of the "unreality of defeat" and that "our armies were not beaten" as a basis for the doctrine that since the conclusion of the war a shame and disgrace had befallen Germany which could only be rectified by a great sacrifice, eventually, a war. Thus, the ideological predicate was laid for a vehement militarism on the part of these groups.

4. The antagonism of the followers of Hitler to my organization was dramatically demonstrated on numerous occasions when meetings of the Peace Society were broken up and terrorized by shock-troops and SA units. A number of examples are given below:

(a) One such occasion relates to a meeting in Essen in May 1923. At that time France had occupied the Ruhr Basin as a result of Germany's default on her Treaty obligations. While the German government had instructed the population of that territory to refrain from any acts of violence, the Nazi Party organized groups of saboteurs to create unrest and stimulate violence. The best known leader of the saboteurs was a soldier of fortune by the name of Leo Schlageter who subsequently was sentenced to death by a French military court and executed. In its program of supporting the government the German Peace Society arranged for a number of meetings in that territory to impress upon the population the necessity for an attitude of understandings. I was scheduled as the principal speaker at one of these meetings which was held in Essen during the month of May, 1923, attended by an audience of several thousands of persons. Before the meeting got underway an organized Nazi group strong-armed their way to the platform with the announced purpose of attacking me, but were prevented from reaching the stage by local police. However, they

H1239 - 0020

assaulted a number of participants of that meeting and succeeded in creating such a disturbance that the meeting had to be adjourned.

(b) Another such occurrence took place in the spring of 1925, at Siegen, Westphalia, where a meeting was scheduled to take place at the municipal auditorium. Shortly before the meeting a large group of the SA gained entrance to the building and occupied the front part of the auditorium. The presiding officer of the meeting was to be the chairman of the local branch of the German Peace Society who was a war veteran having lost both of his legs. While I was accompanying him slowly from the railroad depot toward the municipal auditorium we were overtaken by storm troopers who were discussing their plans to prevent this meeting from being carried out. We also heard that both the chairman of the meeting and I, as the speaker, were to be beaten up and forced out of town. Nevertheless, we proceeded to the auditorium and I began my address which was constantly interrupted by cat calls and insulting remarks. Finally the Nazis arose as a group and tried to storm the stage. However, they were prevented from doing so by Prussian State Police who had appeared in sufficient numbers to thwart the attempt. This rowdyism necessitated premature adjournment of the meeting by the Chief of Police. The chairman of the meeting was escorted to his house by the police and a guard accompanied me to the railroad depot.

(c) On one occasion during the period of my association with the German Peace Society I wrote and caused to be published a pamphlet or monograph on the subject of the "Black Reichswehr." This was a commentary on the methods pursued by the Reichswehr in seeking to evade the terms of the Treaty of Versailles. Shortly after this document was distributed the Nazi press, including Hitler's own newspaper, "Voelkischer Beobachter," demanded my indictment for treason. Prior to the publication of this pamphlet the Pact of the Locarno had been signed and the allied forces withdrew their Army of Occupation, thus leaving to Germany the fulfillment of the Versailles Treaty without formal Allied supervision. The violent criticism to which this document was subjected evidenced the open hostility of the Nazis to any program contemplating the revision of the Treaty of Versailles by peaceful or legal methods.

(d) The foregoing represent examples of the tactics and attitude of the Nazis with reference to the German Peace Society. It, of course, exemplified their attitude toward any person or organization which stood for adherence to the Treaty of Versailles and the restraint of German militarism. It is not necessary for me to relate further specific examples of the terroristic methods to which I was exposed during the period of my connection with this Society. The foregoing instances were repeated many times. These events made it apparent that the Peace Society would thereafter be ineffective in combatting the militaristic trend which had the silent support of the Reichswehr and the open espousal of the Nazis as well as the Conservative-Nationalist Party led by Dr. Hugenberg. Therefore, I left my position with the German Peace Society and returned to my journalistic profession. I became the editor of a daily social democratic newspaper, the "Volksblatt", published in Dessau, Anhalt.

5. The former Dukedom of Anhalt was part of the Reichstag Constituency No. 10, Magdeburg-Anhalt. I was selected

H1239 - 0021

by the Social Democratic Party of the Constituency as one of its candidates for membership in the Reichstag, and ran for election which took place on the 14th of September 1930. I was elected at that time. This was the first election in which the Nazis made substantial gains, having increased their number of representatives in the Reichstag from 13 to 107. During the campaign Nazi terrorism was prevalent in those Constituencies in which they were desirous of making a showing or where they thought they had a chance of winning. In this election Himmler was one of my competitors; also General von Seeckt, who, although not a candidate of the Nazi Party, had earned the support of the Nazis by virtue of his militaristic views. These leaders received sufficient votes for election under the system of proportional representation. Himmler's candidacy made the result of the election in this district a question of party prestige. One of the means employed by the Nazis to insure a particular success in that district was to bring in prominent outside speakers of their Party together with an imposing detachment of storm troopers. They not only followed this strategy in meetings arranged for their own speakers where storm troopers prevented anyone connected with the opposition from taking the floor, but they also sent speakers into meetings of other political parties accompanied by many storm troopers, often physically taking over the meeting. One particular meeting which the Nazis tried to take over physically was held during that campaign in the city of Raguhn in Anhalt. The meeting was called by the Social Democratic Party and I was the principal speaker. The Nazis brought with them, as speaker, the leading SA officer and Gauleiter of the Province of Silesia, Edmund Heines. As soon as Heines was given the floor to reply to my address, the storm troopers advanced toward the stage and made preparations to take the meeting over. The State Police of Anhalt, however, was represented in sufficient strength to forestall that audacious attempt.

6. Another meeting during that campaign took place in the City of Aschersleben where the Nazis brought in as their speaker Roland Freisler who later became the Minister of Justice in the Nazi government of Prussia. Freisler brought with him such a large detachment of storm troopers, some of whom were armed with pistols and clubs, that they succeeded in forcibly excluding everybody not in sympathy with their views, and thus concluded as their own meeting the one which had been called by the Social Democratic Party.

7. As in the case of terroristic tactics manifested in connection with meetings of the Peace Society, the foregoing incidents are representative of the systematic practices of the Nazis with reference to their political opponents. These violent tactics, repeated many times, are thus demonstrated to have constituted an integral aspect of their political creed. Always the first endeavor of this method was to transmute political dispute into physical combat, and thus to rely on superior fighting technique and brutality as a method of achieving success in the public forum.

8. Even in the actual deliberations of the Reichstag the Nazis resorted to the same ruthless procedures. Here again they sought to destroy parliamentary government and attain their ends by a display of aggression and the use of oppressive methods. Illustrative of their actions within the halls of the Reichstag are the following:

(a) On the 14th of September 1930, 107 Nazi members of the Reichstag were elected out of a total membership of

H1239 - 0022

524. This group of 107 Nazi members conducted themselves like a storm troop unit. Wherever representatives of the government or the democratic parties spoke the Nazi members marched out in a body in studied contempt of the speaker, or entered in a body to interrupt the speaker, thus making it physically impossible for the Reichstag President to maintain order.

(b) According to the rules of the Reichstag a limited speaking time was accorded to each speaker depending upon his place in the debate. The speaker of the house was charged with maintaining that schedule. It was one of the favorite tactics of the Nazis to disrupt the schedule by a noisy demonstration whenever one of their own speakers ran overtime and was cut off by the Reichstag President. On such occasions, the Nazis created such a bedlam that the President could not make himself heard. Similarly, in the case of speakers of opposition parties, the Nazi members constantly interrupted, often resorting to lengthy and spurious parliamentary maneuvers, with the result that the schedule of the session was thrown out of gear.

(c) The tactics of disturbance of parliamentary proceedings employed by the Nazis finally culminated in physical attacks upon members of the house as well as visitors. At one time in 1932 a visitor, Helmuth Klotz, who came to call on a democratic member of the house was physically attacked by the Nazis. Klotz had been a well-known submarine commander in the German Navy in World War I and, as an ardent supporter of the republic, had publicly opposed a policy of secretly rearming Germany thus incurring the wrath of the Nazi Party. He was attacked in a corridor of the Reichstag Building by Heines and other Nazi members of the house, and, when democratic members of the house came to his rescue, the Nazis called more of their members to press the assault until the Reichstag President found it necessary to call the police to restore order.

(d) The Nazi members who were the greatest offenders in disrupting the proceedings and in employing oppressive tactics were Joseph Goebbels, Robert Ley, Alfred Rosenberg, Erich Koch, Edmund Heines, Hans Frank, Fritz Terboven and others whose names I do not recall.

(e) That the Nazis had already conceived the device of the concentration camp as a means of suppressing and regimenting opposition elements was forcefully brought to my attention during the course of a conversation which I had with Dr. Wilhelm Frick in December 1932. Frick at that time was Chairman of the Foreign Affairs Committee of the Reichstag of which I was a member. When I gave an emphatic answer to Frick concerning the particular matter discussed, he replied, "Don't worry, when we are in power we shall put all of you guys into concentration camps." When the Nazis came into power Frick was appointed Reichsminister of Interior and promptly carried out his threat in collaboration with Goering, as Chief of the Prussian State Police, and Himmler.

(f) Early in July 1932 the Reichstag was dissolved and elections scheduled for the 31st of July. Again the Nazis manifested their contempt for democratic processes by the increased use of force during the course of the campaign. Interruption of meetings, heckling and beating of democratic speakers, and general terroristic practices were resorted to in full measure during that campaign. I was again re-elected to the Reichstag at the conclusion of the

H1239 - 0023

campaign. It was far more difficult at that time to obtain adequate protection from the Prussian State Police for the reason that the Papen-Putsch of 20 July 1932 resulted in the declaration of martial law in Prussia. The Reichwehr, under the command of General Gerd von Rundstedt, did little to maintain order at political meetings.

(g) After Hitler was appointed Chancellor on 30 January 1933 the Reichstag was again dissolved and an election scheduled for the 5th of March. Nazi methods of terror reached a peak in this campaign. During the period immediately preceding the scheduled election date I was campaigning in my home district where the Nazis had taken a dominant part in the election. On the 2nd of March between the hours of 2:00 and 3:00 a.m. my wife and I were awakened by a disturbance in the street. Five storm troopers appeared in front of the apartment house calling my name. My wife stepped out of our bedroom onto the balcony to ascertain the cause of the disturbance. As she did so one of the storm troopers fired a revolver and the shot went over her head into the ceiling of our bedroom. The next day I took my wife and daughter to the home of my mother in the city of Leipzig intending to stay there until the Reichstag reconvened. On Sunday, March 12, while my wife was taking our child out for a walk the door bell at my mother's apartment rang. Three local policemen and four SA men appeared at the door and requested me to identify myself which I did. Thereupon, they took me in an automobile to a police jail in the City of Leipzig where I was kept in solitary confinement for two days. On March 14 I was transferred to the county jail of Dassau where I was again kept in solitary confinement for three months. During the period of my incarceration in these prisons I was given relative freedom in the use of my time and was, in general, treated properly. From time to time I was interrogated by Dessau police officers in a manner indicating that they would like to establish that I was connected in some way with the Reichstag fire. This was an obvious "red-herring" which the police, on orders of the Gestapo, resorted to for the purpose of suggesting some justification, however tenuous, for my continued detention. The transparent absurdity of this tactic finally induced the police to abandon it.

9. During my imprisonment I made every attempt within my power to bring about my release or, at least, to have charges filed in the desperate hope that they might be the subject of a judicial hearing. Among other things, I wrote a letter to the President of the German Supreme Court, Dr. Erwin Bumke, pointing out that my arrest constituted an infringement of my parliamentary immunity, as a member of the Reichstag Foreign Affairs Committee, which continued in effect until the New Reichstag convened. Also, in oral and written communications to various officials, I insisted on the protection afforded to citizens of Germany under the Weimar Constitution. My lawyer demanded that charges against me be filed or otherwise made known to me. These efforts were wholly ineffective. Charges were never filed nor did I receive a single coherent statement from any Nazi or police official, high or low, which informed me of the legal or, indeed, the political basis for my incarceration. Evidently, my only sin was my refusal to subscribe to the principles and methods of the Nazi Party. That refusal was reflected in my public and parliamentary statements and in my writings. Such disagreement was consistently peaceful and never implemented by physical aggression or by my association with any group which

H1239 - 0024

sponsored the use of physical force. However, under the regime which came into power on 30 January 1933, mere disagreement involved, inexorably, jeopardy of the heretic's life.

10. On 14 June 1933 I was transferred to the concentration camp at Oranienburg. I remained in Oranienburg until the 4th of December 1933 when I escaped from that institution and was fortunate enough to get across the German-Czechoslovakian border. My experiences in that camp have heretofore been documented in my book entitled, "A Nation Terrorized" which was published by the Reilly & Lee Company, Chicago, in 1935.

Signed: Gerhart H. Seger

Subscribed and sworn to before

me this the 21st day of July 1945.

SIGNED: EDWARD L. DAVIS
Notary Public.

H1239 - 0025

H1239 - 0026

TRANSLATION OF DOCUMENT L- 302 -PS
OFFICE OF U S CHIEF OF COUNSEL

Dr. Werner SPOHR, The Law of Protective Custody, Berlin: George Stilke, 1937.

Silke's Law Library No. 157. Pp11-13

First Part

STATEMENT OF THE LAW OF PROTECTIVE CUSTODY

First Section:
The Legal Basis for the Decreeing of Protective Custody.

The legal basis for protective custody has, since the initial occurrence that led to the introduction of this institution into German law -- the Reichstag fire of 27 February 1933 -- experienced certain transformations. The essential characteristic of these transformations is that the application of custody has to an increasing extent been placed under strict stipulations. The legal grounds for custody are now based on an order of the Reich President for the year 1933 and on a decree of the Reich Minister of the Interior for the year 1934 to the Provincial governments and Reich governors.

1. The Order of the President of the Reich for 28 February 1933.

Custody is decreed on the basis of the unaltered, still valid order of the Reich President for the protection of people and State as of 28 February 1933 (Reichsgesetzblatt1 p. 83; reproduced below, p. 59) Paragraph 1 of this order invalidates Articles 114, 115, 117, 118, 123, 124, and 153 of the Weimar Constitution until further notice. There are therefore since that time certain limitations on personal freedom, on the law for the free expression of opinion, including freedom of the press, of clubs and of assembly, infringements of letter, postal, telegraphic, and telephonic privacy, regulations on house-search and requisitioning as well as limitations on property permissible beyond the legal limits otherwise defined thereto.

With all other articles of basic law in the Weimar Constitution, which Article 48, paragraph 2, of the Reich Constitution placed at the disposal of the President of the Reich, Article 114 is also revoked. There it was appointed: "The freedom of the individual is inviolate. Any encroachment upon or deprivation of individual freedom by public force is permissible only on a legal basis. Persons deprived of their liberty are to be advised at the latest on the day following as to which authority and on what grounds the deprivation of liberty has been ordered; without delay opportunity shall be given them to introduce objections to their deprivation." The invalidation of the basic law concerning the integrity of individual freedom forms the legal basic for the proclamation of custody (Die Ausserkraftsetzung des Grundrechts der Unverletzbarkeit der persoenlichen Freiheit BILDET DIE Rechtsgrundlage der Verhaengung von Schutzhaft). At its appearance it was already fully constitutional and hence legally valid without any limitation, and is so more than ever in the present-day Fuehrer -State.

II. The Decree of the Reich Minister of the Interior for 12 April 1934 to the Provincial governments (for Prussia, to the Minister-President and the Minister of the Interior) and the Reich governors (1 33 11 A. 28/27), which was not officially made public, the essential contents of which however have been published in the daily press (see the Voelkischer Beobachter, No. 104, 14 April 1934), is still in force and forms the ground work in future for the proclamation of custody in detail. Formerly there were effective in Prussia: 1. Order concerning the supplement of the order for 1 October 1933 (Preussische Gesetzsammlung, p. 213)to the competency ruling for Province and Kreis police authorities of 2March 1933 (Ibid.,p.330);

TRANSLATION OF DOCUMENT L- 302 -PS
OFFICE OF U S CHIEF OF COUNSEL
(cont.)

2. Order concerning the supplement of the order for 1 October 1931 and 2 March 1933 (Ibid., 1931, p. 213, and 1933, p. 33) to the competency ruling for Province and Kreis police authorities of 26 April 1933 (Ibid., p. 127); 3. decree of the Prussian Minister of the Interior df 3 March 1933 Ministerialblatt fuer die preussische innere Verwaltung, V, p. 233). Shortly before the decree of the Reich Minister of the Interior, the Minister President of Prussian had issued a wholly new ruling on custody. This decree is superseded by the above-cited decree of the Reich Minister of the Interior for 12 April 1934.
It is viewed legally as an empowering-act to Paragraph 1 of the act for February 1933 and aims at a uniform administering of custody throughout the Reich, while avoiding wrong usage and arbitary action. Its contents are worked up in expostions that follow. Textual reproduction is not possible.

III. Related Institutions.

Custody is in no way something wholly new -- as is constantly asserted abroad by enemies of the new Germany -- although during the course of the National Socialist revolution its make-up exhibits special characteristics. If one ignores the police law of arrest according to paragraphs 112 ff., Strafprozessordnung, and -- to mention only Prussian law -- Paragraphs 14 and 15 of the Police- administration law (formerly para. 10, Part 2, Title 17 Allgemeines Landrecht), it remains to confirm that even before the order of the Reich President there was already previously valid in Prussia a kind of political custody for subversive persons, and not indeed, as was most erroneously supposed, only after the proclamation of a state of emergency, but even without such power of statute law. Paragraph 6 of the law for the protection of individual liberty of 12 February 1850 declares: The authorities, officials, and watchmen named in paragraph 3 (these are the police authorities and other officials who by existing laws are empowered to investigate punishable offenses) "are authorized to take persons into police custody (Verwahrung) if the special protection of such persons or the maintenance of public morals, security, and peace urgently require such measures. Persons in police retention must however be set free at the latest during the following day, or in this period the necessary steps shall be taken to turn them over to the proper authorities." (Political) custody on the basis of this statment admits therefore to broad limitations. Custody on the basis of the order for 28 February 1933 is not confined to such limitations. It possesses throughout its own ruling.

CERTIFICATE OF TRANSLATION
OF DOCUMENT 1-302 - PS

27th November, 1945.

I, CURTIS C. DAVIS; Captain, AUS. hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the Document L- 302 - PS.

/s/ CURTIS C. DAVIS
CAPTAIN, AUS.

H1239 - 0027

H1239 - 0028

TRANSLATION OF 2 LETTERS OF DOCUMENT
L-305 OFFICE OF US CHIEF OF COUNSEL

STAPO OFFICE
for the district of Cologne

Rec'd
28 Jul 37 1945 hours
(illegible marks)
F.S. Nr. 16190

(illegible marks)

29 July 37

Anl. II.4. 2468/37/2

Telegram

DR Berlin NUE 119 603 28 Jul 37 1940 - DR -

-To the STAPO Office Cologne-
Very urgent-

At the request of the Reich and Prussian Minister of the Interior I ask you to determine as fast as possible where the Artist Quer Mohamed, born 1 Jul 01 at Lending-Mara (Marocco), residence Cologne-Ehrenfeld, Glasstrasse 59 c/o Schneider, is staying at present and what his next destination is. Secretary Moeltgen of the Criminal Police knows about Mohamed.

--Special commission III counter-intelligence.

(POJ.GRAUL)

- - - - - - - -

Gestapo
Gestapo Office
Cologne
B.-Nr.-The Chief-

Cologne, 3 Mar 1938
Appellhof pl. 23/25
Telephone : 220651

SECRET

Written:_____
Compared: 3 Mar Di.
Ab: 1/4 Mar 38 Br.
Files:-------

DKzl.

To District Court - Sect. 19-

Subject: Petition of Stefan Berens, Cologne, Fleischmengergasse 27, concerning sterilization of the ward Maria Simon.

Procedure: Letter there of 21 Feb 1938-19 S VII 1103-to the administration of the Protestant Hospital in Cologne-Suelz.

Conforming with higher directives, all descendants of occupational troops of foreign blood were sterilized in the Summer of 1937. As a result of this measure the child Maria Simon, fathered by a colored occupation soldier, was also sterilized. Since no documents are available, it can not be stated with certainty if the guardian, Stefan Berens, was at that time informed about the sterilization. Furthermore, the sterilization did not depend on the permission of the guardian.

I ask to inform the guardian Stefan Berens in a suitable manner. I may point out that the matter is secret and may under no circumstances be discussed in public.

2) To the files "Rhineland Bastards" with the Chief,

(illegible markings)

H1239 - 0029

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Protestant Hospital Cologne
Telephone 41344

Cologne-Lindenthal, 1 Mar 1938
Weyertal 76

To the Chief of the STAPO Office, Cologne

Submitted with request to take note of enclosed letter. Because of the special duty of secrecy in this matter I am not authorized to give information and ask for further direction and, if necessary to inform the district court.

signed Dr. (illegible)
Chief Doctor of the Maternal-Gynecological Sect.
of the Protestant Hospital
Prof. Dr. Seitz

- - - - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF 2 LETTERS OF DOC. NO. L-305

- - - - - - - - - - - - - - - - -

7 November 1945.

I, GERARD SCHAEFER, 2nd Lt Inf, O-1332102, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of 2 letters of Document No. L-305.

GERARD SCHAEFER,
2nd Lt Inf
O-1332102

H1239 - 0030

TRANSLATION OF DOCUMENT 3474-PS
OFFICE OF U S CHIEF OF COUNSEL

Berlin Nr 2344C4 9.
11.2355

To all state police offices and state police administrative offices. - To director or his deputy.
This teletype message is to be transmitted immediately in the most rapid way.

1. Actions against the Jews and in particular against their synagogues will occur in a short time, in all of Germany. They are not to be hindered. However, it is to be made certain, in agreement with the ordinary police, that plundering and similar law breaking will be held to a minimum.

2. Insofar as important archive material is present in the synagogues, it is to be secured by immediate measures.

3. The seizure of some 20 to 30 thousand Jews in the Reich is to be prepared. Wealthy Jews above all are to be chosen. More detailed directives will appear in the course of this night.

4. If, in the course of this action, Jews are found in possession of arms then the the sharpest measures are to be employed. Special troops of the SS as well as the General SS can be drawn into the total action. In any case the direction of the actions through the State police is to be assured by proper measures.

Addenda for State Police Cologne:

In the synagogue of Cologne there is especially important material. This is to be made safe, immediately, by the quickest measures in agreement with the Security Service.

Gestapo II Mueller

This teletype is secret

 TRANSLATION OF DOC. 374-PS
OFFICE OF U. S. CHIEF OF COUNSEL

Blitz Munich 47767 10,11.38 0120 SECRET

To all State police administrative offices and State police offices. To all Security Service O.A. and W.S.

Subject: Tonight's measures against Jews

On the basis of the attack upon Legation Secretary v. RATH in Paris demonstrations against the Jews are to be expected in the entire Reich tonight 9 to 10 November 38. The following orders are issued for the treatment of these incidents.

1. The directors of the administrative offices of the State police or their deputies have to take up, by long-distance phone, negotiations with the proper political directorates of their regions - Gauleitung or Kreisleitung - immediately upon the receipt of this telegram and to unify a discussion of the carrying out of the demonstrations to which the proper inspector or commander of the regular police is to be drawn. In this conference the political direction is to be informed that the German police has received from the Reichsfuehrer SS and the Chief of the Police the following orders to which the measures of the political directorate should comply.

2. Only such measures are to be taken, which do not entail a danger to German life and property. (for example: burning of synagogues only if no fire hazard is present in the neighborhood).

3. ...As soon as the course of events tonight permits the use of the appointed officials for this purpose, as many Jews are to be seized, especially wealthy ones, in all regions as can be accomodated in the prisons at hand. Moreover, only healthy, male Jews of not too great an age are to be seized. After carrying out the seizure, negotiations are to be taken up at once with the proper concentration camps for the quickest accomodation of the Jews.

signed: HEYDRICH
SS Gruppenfuehrer

Police radio service - Radio Hannover
Urgent - Secret
SSD Berlin 133 10; 11 2110
To all political authorities

As soon as notices of the ending of the action arrive from the Gau administration take action that destroyed shops are so shut up with boards, etc. that the destruction is as little visible as possible. Have owners directed in certain cases to work under police orders to carry this out. Have the ruins of synagogues, etc. removed as quickly as possible.

Chief of the regular police
Special command staff of the
High Command g. a. Nr 224/38

H1239 - 0031

Appendix

National Socialistic German Workers Party
Gau Coblenz - Trier

Coblenz June 7, 1933

Propaganda Department

To all Kreis directorates

Subject: List M. 18, Jew baiting Nr 2

You will receive in the next few days a list of the communities of your districts in which you will find the Jewish firms and businesses of your district. You will immediately check in your whole district whether the addresses given are correct or whether some have been forgotten. The highest importance is to be placed on accuracy since the list is to be printed.

Subject: Jew baiting

The district directorate will set up a committee which has the task of directing and supervising the communities in the whole district. The strength of this committee will be determined by the district director. You are to inform the Gau-propaganda directorate at once of the committees named. The Gau propaganda directorate will then set itself in coordination with these committees through you.

Present tasks of the committees.

The committee will form in all the local groups and support localities such committees whose names shall be known only to the district committee. The members of the sub-committees shall report to the district committee the names of those Party members and other Germans who buy from Jews. The district committee will publish articles whose content is such that it will point out to the miscreant members of the nation the shamefulness of their deed, and will make them aware of the shame to which they would be subjected if they were proceeded against publicly. This article must be arranged so that only the addresses of those involved, the business and the time in which he made the purchase will be given. The article should bear no signature and will be posted on various posting spots. Further the committees have to secure female clerks from Jewish stores, who can then very easily name those who purchase in Jewish shops. This demands some caution and has to be done with the greatest secrecy. The names of these clerks shall in no case be mentioned. Negotiations are to be undertaken with the association for the employed middle class so that it will prepare the means for this action and will assume the responsibility of finding a new job in another shop of equal importance in case the clerk loses her job. Her name must not be given, only the number.

The district directorate will point out in all gatherings of members or in all public gatherings that the Jew in all countries is again carrying on a low attack which is greatly harmful to Germany. It must be made clear to the masses that no German may buy from a Jew. It is also to be demanded of the Party membership that it constantly bring this to the attention of its friends and acquaintances. The Party membership must go so far in the interest of the nation that it cease friendship with best acquaintances if the latter continue to purchase from Jews. It must go so far that no German will speak to a Jew if it is not absolutely necessary, and this must be particularly pointed out.

German girls who go with Jews are to be made cognizant of the shamefulness of their actions. A member of our party must, in no way, have anything to do with such a person.

Heil Hitler
signed: BANG
Gau-Propagandaleiter

H1239 - 0032

H1239 - 0033

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 374-PS

24 September 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 374-PS.

(signed) Fred Niebergall
FRED NIEBERGALL
2nd Lt Inf
O-1335567

TRANSLATION OF DOCUMENT 388-PS
OFFICE OF U S CHIEF OF COUNSEL

APPERTAINING TO WAR HISTORY

(pencil note)

S.O. Only

"FALL GRÜN"

CZECHOSLOVAKIA

H1239 - 0034

TRANSLATION OF DOCUMENT 388-PS
(cont'd)

ITEM 20

Schm (initialled by Schmundt)

Nuremberg, 10 September 1938

Stamp
Office of the Armed Forces
Adjutant attached to the
Fuehrer Reich Chancellor
Received 19 September 1938

The Fuehrer and Supreme Commander of the Armed Forces

TOP SECRET

1). The whole RAD organization comes under the command of the Supreme Command of the Army effective 15 September.

2). The Chief of OKW decides on the First commitments of this organization in conjunction with the Reichs Labor Leader (Reichsarbeitsfuehrer) and on assignments from time to time to the Supreme Commands of the Navy, Army and Air Force. Where questions arise with regard to competeney he will make a final decision in accordance with my instructions.

3). For the time being this order is to be made known only to the departments and personnel immediately concerned.

(signed) ADOLF HITLER

Supreme Command of the Armed Forces
No. 2038/38 Most Secret WFA/L IIc

T 9.9

Distribution:

C-in-C of the Army
Reich Minister for Air and C-in-C of the Air Force
C-in-C of the Navy
Reichsminister of the Interior
for the attention of Ministerial Director Dr. Danchwerts
Head of Reich Labor Service through Adwin Office (VOA)

Distribution:

Adjutant to the Fuehrer	1st Copy	25 Copies
WZ, WH, Wr	2nd to 4th Copies	1st Copy
Armed Forces Ops Dept.	5th Copy	
L, Ia, Ib, Ic, IV, VOA, WNV	6th to 10th Copies	
	11th Copy	
Office for Ausl/Abwehr	12th to 14th Copies	A true copy:
General Armed Forces Office	15th to 17th Copies	
Armed Forces Staff	18th to 20th Copies	Hofmann
Spare	21st to 25th Copies	
		Oberst (Reserve)

TRANSLATION OF DOCUMENT 405-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART I, PAGE 285

Law concerning Trustees of Labor
of 19 May 1933

Gesetz über Treuhänder der Arbeit
vom 19 Mai 1933

The Reich Government has decided on the following law, which is hereby promulgated.

Section 1

(1) The Reich Chancellor appoints trustees of labor for the larger economic areas upon the proposal of the competent provincial governments and in agreement with them.

(2) The Reich Labor Minister will assign the trustees either to the participating provincial governments if they agree or to the provincial authorities.

Section 2

(1) Until a new revision of the social constitution the trustees are to regulate the conditions for the conclusion of labor contracts. This practice is to be legally binding for all persons and replaces the system founded on combinations of workers, of individual employers or of combinations of employers. The regulations concerning the general application (para 2 ff of the tariff accord decree in the publication of 1 March 1928, Reichsgesetzblatt I, p 47) remain unaffected.

(2) Moreover, the trustees are also to look after the maintenance of the labor peace.

(3) Furthermore, they are to be convoked for their cooperation in the preparation of a new social constitution.

Section 3

The trustees are empowered to request aid of the competent Reich and provincial authorities for the execution of their regulations. They should put themselves in contact with the provincial government or one of their designated authorities before executing their measures, even though the danger of delay exists.

Section 4

The trustees of labor are bound by the directives and decrees of the Reich Government.

Section 5

The Reich Minister of Labor in agreement with the Reich Minister of Economics issues the necessary regulations for the implementation.

Berlin 19 May 1935.

The Reich Chancellor
Adolf Hitler
The Reich Labor Minister
Franz Seldte

H1239 - 0036

The Reich Economics Minister and Agriculture
Hugenberg
The Reich Minister of the Interior
Frick
The Reich Minister of Finance
Count Schwerin von Krosigk

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 405-PS

18 November 1945.

I, FRED NIEBERGALL, 2nd Lt., Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 405-PS.

FRED NIEBERGALL,
2nd Lt., Inf.,
O-1335567.

H1239 - 0037

Exhibit USA 717
Filed Jan. 14, 1946

TRANSLATION OF DOCUMENT NO. 615-PS
OFFICE OF U.S. CHIEF OF COUNSEL

615-PS

Translation of Letter from the Bishop of Limburg on the Killings at the Hadamar Asylum

The Bishop of Limburg — Limburg/Lahn, Aug 13, 1941

To the Reich Minister of Justice
Berlin

:Various stamps and:
:pencilled remarks :
:appear on original:

Regarding the report submitted on July 16 (Sub IV, pp 6-7) by the Chairman of the Fulda Bishops' Conference, Cardinal Dr. Bertram, I consider it my duty to present the following as a concrete illustration of destruction of so-called "useless life."

About 8 kilometers from Limburg, in the little town of Hadamar, on a hill overlooking the town, there is an institution which had formerly served various purposes and of late had been used as a nursing home; this institution was rennovated and furnished as a place in which, by concensus of opinion, the above mentioned Euthenasia has been systematically practiced for months - approximately since February 1941. The fact has become known beyond the administrative district of Wiesbaden, because death certificates from a Registry Hadamar-Moenchberg are sent to the home communities. (Moenchberg is the name of this institution because it was a Franciscan monastery prior to its secularization in 1803.)

Several times a week buses arrive in Hadamar with a considerable number of such victims. School children of the vicinity know this vehicle and say: "There comes the murder-box again." After the arrival of the vehicle, the citizens of Hadamar watch the smoke rise out of the chimney and are tortured with the ever-present thought of the miserable victims, especially when repulsive odors annoy them, depending on the direction of the wind.

The effect of the principles at work here are: Children call each other names and say, "You're crazy; you'll be sent to the baking oven in Hadamar." Those who do not want to marry, or find no opportunity, say, "Marry, never! Bring children into the world so they can be put into the bottling machine!" You hear old folks say, "Don't send me to a state hospital! After the feeble-minded have been finished off, the next useless eaters whose turn will come are the old people."

All God-fearing men consider this destruction of helpless beings as crass injustice. And if anybody says that Germany cannot win the war, if there is yet a just God, these expressions are not the result of a lack of love of fatherland but of a deep concern for our people. The population cannot grasp that systematic actions are carried out which in accordance with Par. 211 of the German criminal code are punishable with death! High authority as a moral concept has suffered a severe shock as a result of these happenings. The official notice that N.N. had died of a contagious disease and that for that reason his body had to be burned, no longer finds credence, and such official notices which are no longer believed have further undermined the ethical value of the concept of authority.

Officials of the Secret State Police, it is said, are trying to suppress discussion of the Hadamar occurences by means of severe

H1239 - 0038

threats. In the interest of public peace, this may be well intended. But the knowledge and the conviction and the indignation of the population cannot be changed by it; the conviction will be increased with the bitter realization that discussion is prohibited with threats but that the actions themselves are not prosecuted under penal law.

Facta loquuntur.

I beg you most humbly, Herr Reich Minister, in the sense of the report of the Episcopate of July 16 of this year, to prevent further transgressions of the Fifth Commandment of God.

(Signed) Dr. Hilfrich

I am submitting copies of this letter to the Reich Minister of the Interior and the Reich Minister for Church Affairs.

(initialled by the above)

CERTIFICATE OF TRANSLATION OF DOCUMENT 615-PS

9 January 1946

I, R.M.W. KEMPNER, Civilian, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 615-PS.

R.M.W. KEMPNER
Civilian

H1239 - 0039

H1239 - 0040

Exhibit USA 715
Filed Jan. 14, 1946

TRANSLATION OF DOCUMENT NO. 621-PS
OFFICE OF CHIEF OF COUNSEL

Letter from Dr. Lammers to the Minister of Justice on the Deaths of Nursing Home Inmates

The Reichsminister and Chief
of the Reich Chancellory

Berlin, W.8, 2 October 1940
Voss Street 6

Rk.665 B gRs

SECRET REICH MATTER!!

To the Reichsminister of Justice
Dr. Guertner

Dear Dr. Guertner!

I herewith acknowledge your letters of 26 August and 25 September forwarding to me further material about the death of inmates of nursing homes. I forwarded the enclosed reports of the Chief Prosecutors of Stuttgart and Naumburg to the Reichsminister of the Interior - Reichs Health Leader - for further action.

Heil Hitler!

Sincerely yours

(signed) Dr. Lammers

CERTIFICATE OF TRANSLATION OF DOCUMENT NO. 621-PS

10 January 1946

I, R.M.W. KEMPNER, Civilian, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 621-PS.

R.M.W. KEMPNER
Civilian

DOCUMENT NO. 621-PS
OFFICE OF CHIEF OF COUNSEL

Der Reichsminister und Chef
der Reichskanzlei

Berlin W.8, den 2.Oktober 1940
Vossstrasse 6

Rk.665 BgRS

GEHEIME REICHSSACHE!

An den Reichsminister der Justiz
Herrn Dr. Gürtner

Sehr verehrter Herr Dr. Gürtner!

Ich bestätige ergebenst den Eingang Ihrer Schreiben vom 26. August und 25.September d.J., mit denen Sie mir weiteres Material über den Tod der Insassen von Heil- und Pflegeanstalten übermitteln. Die Ihrem Schreiben beiliegenden Berichte der Generalstaatsanwälte in Stuttgart und Naumburg habe ich dem Herrn Reichsminister des Innern - Reichsgesundheitsfuehrer - zum weitern Befinden übermittelt.

Heil Hitler!

Ihr sehr ergebener

Dr. Lammers

TRANSLATION OF DOCUMENT 647 PS
OFFICE OF U.S. CHIEFOF COUNSEL

100 (crossed out, on top ot if, "ten" (in pencil)
photo copies copy (in ink)

Control number

Enclosure to number 1164/38

top secret WFA/L II

Draft of June 3rd with changes Reichsfuehrer SS(R.F. SS) of June 10, 1938 and additions concerning signal corps unit (Nachrichten Sturmbann)

(in ink) 1st Copy

3 copies
1st copy

TOP SECRET

The Fuehrer and Reich's Chancellor.

Berlin, 17 August 1938
(in ink)

10

(Signature illegible)

By means of the nomination of the Reichsfuehrer SS and Chief of the German police in the Ministry of the Interior on June 17th 1936 (Reichsgesetzblatt I, page 487), I have created the basis for the unification and reorganization of the German police.

With this step, the Schutzstaffeln of the NSDAP which were under the Reichsfuehrer SS and chief of the German Police even up to now, have entered into close connection with the duties of the German police.

In order to regulate these tasks and in order to delineate the common tasks of the SS and of the Wehrmacht, I hereby order the following inclusively and basically:
(the above written inpencil)

I General

1) Being a political organization of the NSDAP, the SS as such, does not need any military set-up and training for her political obligations. It carries no weapons.

2) For special innerpolitical tasks fo the Reichsfuehrer SS and Chief of the German police, tasks which I might have to assign him from time to time, or for the mobile use within the wartime army (SS-Verfuegungstruppe). The following SS units which either already exist, or will be set-up in case of mobilization, are exempted from the regulations of number 1;

The SS-Verfuegungstruppe
The SS-Junkerschulen
The SS-Totenkopfverbaende,
The SS-reinforcement Totenkopfverbaende (Police reinforcement)

4 In peacetime, they are under the Reichsfuehrer SS and Chief of the German police, who with the exception mentioned in paragraph II, alone, has the responsibility for the organization, training arming, and full use in regard to inner-political tasks given him from me.

In peace time, no organizational connection with the Wehrmacht exists in this regard. See orders in II and III for the case of mobilization.

Arms, ammunition, tools, equipment, and military handbooks for the armed SS units will be procured through the Wehrmacht, upon payment.

H1239 - 0041

TRANSLATION OF DOCUMENT 647 PS
Continued

H1239 - 0042

II The Armed Units of the SS

A. (The SS-Verfuegungstruppe)

1) The SS Verfuegungstruppe is neither a part of the Wehrmacht nor a part of the police. It is a standing armed unit, exclusively at my disposal. As such, and as a unit of the NSDAP its members are to be selected by the Reichsfuehrer SS according to the phylosophical (weltanschaulich) and political standards which I have ordered for the NSDAP and for the SS Schutzstaffeln. Its members are to be trained and its ranks filled with volunteers from those who are subject to serve in the army who have finished their duties in the obligator labor service. The service period for volunteers is 4 years. It may be prolonged for SS-Unterfuehrer. Special regulations are in force for SS Leaders. The regular compulsory military service (par 8 of the law relating to military service) is fulfilled by service of the same amount of time in the SS Verfuegungstruppe.

The SS Verfuegungstruppe receives its financial resources through the Ministry of the Interior. Its budget requires a check up by the High Command of the Wehrmacht.

2) The SS Verfuegungstruppe falls into the following parts:

1 headquarters staff.
Personal protective unit (Leibstandarte-SS Adolf Hitler motorized (in ink)
3 units (Standarten)
2 motorcycle units (Kradschuetzen-Sturmbanne) under a Standarte Staff.
1 engineer unit (Pioniersturmbann) motorized (in ink)
1 signal unit (Nachrichtensturmbann) motorized (in ink)
1 medical unit.

The complete strength, the organization, the arming, and the equipment of the SS Verfuegungstruppe depend on the task allocated in peace time and in case of mobilization.

In case of mobilization, the Standarten and independent Sturmbanne are organized like the corresponding units of an infantry division respectively of a motorized infantry division of the army (illegible remark in ink)

The engineer unit is fully motorized.

The signal unit (motorized) is organized like an infantry division signal (motorized).

The peacetime strength and equipment of the army are the pattern for the strength and equipment of the staffs and units of the SS Verfuegungstruppe. Personal and material necessary above the peacetime strength and the table of equipment will be determined in cooperation with the High Command of the Wehrmacht and the Reichsfuehrer SS and Chief of the German Police.

For use in the interior, the Standarten are reinforced by the following special formation:

(Leibstandarte SS Adolf Hitler)

reinforced by:
1 Armored reconnaissance platoon
(Panzerspaehzug; the word "zug" is added in ink)
1 motorcycle platoon (Kradschuetzensturm)
1 engineer platoon (Kraft-Pionier-Zug)

the other Standarten

by:
each 1 armored reconnaissance platoon
1 light infantry motorcycle platoon.

and by additional telephone and radio units for the signal platoons.

H1239 - 0043

The not motorized units

by:
1 trucking platoon each
(Kraftwagen-Transporkolonne)

The signal unit (motorized) with additional means of communication in order to safeguard the communication system of the Reichsfuehrer SS and Chief of the German police. The necessary personnel and material will be determined in cooperation with the High Command of the Wehrmacht and the Reichsfuehrer SS and Chief of the German police.

The final aim is the complete motorization of all Standarten and independent units; in the case of mobilization, the skeleton corps of the reinforcement units of the SS Totenkopfverbaende, to whom in peace time the short training of replacements for the SS Totenkopfverbaende was entrusted, are to be devoted to the task of insuing replacements for the SS Verfuegungstruppe (See C 2)

The supreme commander of the army prepares the SS Verfuegungstruppe for their use within the wartime army. He issues the necessary orders, regulates their working with reserve army authorities, supports the training and makes inspections. He is authorized to transfer these powers to lower echelon offices and to report tome about the stage of combat training, after prior consultation with the Reichsfuehrer SS and Chief of the German police.

A timely exchange of officers, respectively leaders between the army and the SS Verfuegungstruppe is to be carried out in mutual agreemtnt as soon as the officer situation permits it.

Any changes in the organization, the strength and the arming of the SS Verfuegungstruppe have to be approved by me.

3) Orders for the case of mobilization

A) The employment of the SS Verfuegungstruppe in case of mobilization is a double one:

1) By the supreme commander of the army within the wartime army. In that case, it comes completely under military laws and regulation, but remains a unit of the NSDAP politically.
2) In case of necessity in the interior according to my orders. In that case, it is under the Reichsfuehrer SS and Chief of the German police.

In case of mobilization I myself, will make the decision about the time, strength and manner of the incorporation of the SS Verfuegungstruppe into the war time army, thesee things will depend on the inner political situation at that time.

During war, the skeleton corps of the reinforcement units of the SS Totenkopfverbaende, to whom in peacetime the short training of replacements for the SS Totenkopfverbaende was entrusted are to be devoted to the task of insuring a reserve which should meet the phylosophical(Weltanschaulich) and political spirit of the Verfuegungstruppe.

In case of mobilization, all members of the SS who did their compulsory military duty in the SS Verfuegungstruppe are generally to be used to reinforce the SS Verfuegungstruppe. Older classes of the SS Verfuegungstruppe also may be used to fill up the ranks of the reinforcement of the SS Totenkopfverbaende police reinforcement which will be settup in case of mobilization in so far as they are not needed as replacements for the SS Verfuegungstruppe.

In case of mobilization, the replacements for the SS Verfuegungstruppe also may be used to fill up the ranks of young, untrained draftees.

B) The SS Junker Schools:

1) The SS Junker schools including the SS medical Junker school educate

the Fuehrer successors (Fuehrernachwachs) for the armed partsoof the SS and for the German police.

2) The Junkers who have served at least one year of front line duty in the SS Verfuegungstruppe and have completed the SS Junker schools and the Non-commissioned officer schools successfully afterwards, and have accordingly served more than two years under arms (see para 8 of the military law) have fulfilled their compulsory military duty.

Leaders and leader aspirants who have successfully finished the Non-Commissioned Officer School in service, that is incorporated into the Wehrmacht will be given a rank which corresponds to their rank inthe armed parts ofthe SS, or in the police.

3) The budjets of the SS Verfuegungstruppe, the SS Totenkopfverbaende, and the German police will bear the partial costs of the schools for that number of Junkers which corresponds to their calculated need for leaders.

4) These order about the SS Junker schools are in force retroactive to March 15th 1935.

C) The SS Totenkopfverbaende

1) The SS Totenkopfverbaende are neither a part of the army nor of the police. They are a standing armed unit of the SS to clear up special tasks of police nature. I reserve the right to assign duties from time to time.

As such, as a unit of the NSDAP, they are to be selected and trained according to the phylosophical (Weltanschaulich) and political directives which I have issued for the NSDAP and for the Schutzstaffeln; they are to be replaced by the use of volunteers capable of serving the SS, who as a rule have served their compulsory military duty in the army. The army must give its agreement for special cases of exception. These units are under the Reichsfuehrer SS and Chief of the German police who is responsible to me for their organization, training, arming, and full readiness for action.

The Reichsfuehrer SS and Chief of the German police is entitled to recruit suitable volunteers of the army before their discharge in cooperation with the supreme command of the Army.

The service period for Non-commissioned officers (Unterfuehrer) and men, is 12 years. service time in the army is to be counted. The necessary question of the pension will be taken up at a later date.

The SS Totenkopfverbaende receive their financial means through the Ministry of the Interior,

Starting April 1st, 1938, the SS Totenkopfverbaende are organized as follows:

Directorate staff with signal unit,
- 4 Standarten with 3 Sturmbanne each with 3 infantry groups (each 148 men strong)
- 1 machine gun group (150 men strong)
- 1 medical unit
- 1 medical group necessary for the medical care of those camp prisoners who work outside

Besides, each Standarte:
- 1 motorcycye group (crossed out)
- 1 group with weapons suited for street fights to be set up in 1939 (crossed out)
- 1 trucking unit (Kraftfahrstaffel-KW-Transportkolonne)
- 1 Signal platoon (Nachnichtenzug)
- Besides 1 signal platoon for each Sturmban to be set up in 1939 (crossed out)

2) Replacement units for the short time training for the reinforcement of the SS Totenkopfverbaende (police reinforcement). Strength corresponding to the reinforcement battalion (E-Btl) of the Army. All units of the SS Totenkopfverbaende are to be motorized temporarily with 3 ton Opel-Blitz cars.

H1239 - 0044

3) The strength and organization of the units will be determined by the extent of their special tasks of police nature (see figure 1) and will be determined by me according to requirements upon suggestions of the Reichsfuehrer SS and Chief of the German police.

4) The armament and equipment of the SS Totenkopfverbaende depends on their special tasks (see figure1); both are to be suggested to me by the Reichsfuehrer SS and Chief of the German police, after he has discussed them with the supreme command of the army.

5) Regulations for the case of the Mobilization.

The SS Totenkopfverbaende form the skeleton corps for the reinforcement of the SS Totenkopfvervaende (police reinforcement;) and will be replaced in the guarding of the concentration camps by members of the General SS who are over 45 years of age and had military training.

The skeleton corps which up to now, were units of the two replacement units for the short time training of the reinforcement of the SS Totenkopfverbaende will be transferred to the SS Verfuegungstruppe as skeleton crews of the replacement units for that unit.

D) Reinforcement of the SS Totenkopfverbaende (Police reinforcement)

1) The reinforcement of the SS Totenkopfverbaende is a police unit which will be set up and armed automatically in the case or mobilization, in an emergency, at my command.

2) The Reichsfuehrer SS and Chief of the German police will decide its strength within the total strength of all police units which I shall determine for the territory of the Reich.

3) The organization, distribution of units, armament, and training of the reinforcement of the SS Totenkopfverbaende depend entirely on the police tasks they will have to handle.

The Reichsfuehrer SS and Chief of the German Police

The responsibility for the full readiness for action in that respect rests with who will have to make suitable suggestions to me concerning armament and equipment, after prior consultation with the supreme command of the Army.

4) The training of the reinforcements of the SS Totenkopfverbaende who are provided for the use of war and are between 25 and 35 years of age, will be undertaken in peace time by the replacement units of the SS Totenkopfverbaende (compare with C 2)

5) The Ministry of the Interior will request the financial resources for the training of the reinforcement of the SS Totenkopfverbaende from the supreme command of the army, as R.V. special resources.

III The General SS (Allgemeine SS)

All other members, not mentioned in I or II of the general SS (Allgemeine SS) which is unarmed, are just at the disposal of the army in case of war (according to the regulations of the military law Wehrgesetz)

However, considering the special inner-political tasks which the SS has to solve in close connection with the German police in case of mobilization, I hereby order the following:

1) The Staff of the Reichsfuehrer SS, the staffs of the three main offices (SS Sd, and RuS main officer, the SS Oberabschnittsstaebe and SS Absoehmittsstaebe, remain in case of war for tasks of police nature. The Reichsfuehrer SS regulates their strength which will be cut down to a minimum size, for that purpose, SS members provided for those staffs are to be deferred from service in the army in case of war.

H1239 - 0045

2) All clothing and equipment, motor cars, arms, ammunition and other equipment owned by the SS are regulated by the lawful orders in case of mobilization; this, provided they are not necessary for the setting up of the armed SS units and Staffs mentioned under I and II.

IV Decrees of execution

The supreme command of the army issues the decrees of execution (Ausfuehrungsbestimmungen) necessary to paragraph II in all questions concerning the army and the case of mobilization in cooperation with the Reichsfuehrer SS and Chief of the German police.

The Reichsfuehrer SS and Chief of the German police issues the decrees of execution (Ausfuehrungbestimmugen) concerning the police and inner political measures in cooperation with the supreme command of the army..

/s/ Hitler

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 647 PS

I, FRED NIEBERGALL, 2nd Lt., Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 647 PS.

FRED NIEBERGALL,
2nd Lt., Inf.,
O-1335567

H1239 - 0046

H1239 - 0047

TRANSLATION OF DOCUMENT NO. 680-PS
OFFICE OF U S CHIEF OF COUNSEL

The Reich- and Prussian Minister

Of the Interior

Berlin, 5 May 1938
NW 40, Koenigsplatz 6
Phone:
Dept Z,I,II,V,VIII 11 00 27
" IV,VI,VII,(Unter den Linden 70-72) 12 00 34
Cable address:Reichsinnenminister

Nr I 176/38
1014 g

SECRET

urgent

To

a) The Reich - and Prussian Minister for Ecclesiastical Affairs, attention: Goverment Councillor (Regierungsrat) ULLRICH or his deputy in office

b) The Foreign Office, attention: Councillor (AMTS- und HOFRAT) SCHMIDT or his deputy in office

c) The Reich Minister of Justice, attention: Ministerial Office Director STAUDINGER or his deputy in office.

d) The Reich Minister for Education attention: Government Councillor (Regierungsrat) JAEHNERT or his deputy in office.

e) The Deputy of the FUEHRER, attention: SS-Inspector (Oberfuehrer) KNOBLAUCH or his deputy in office.

f) The Reichsfuehrer SS and chief of the German Police attention: SS 2nd Lt (Untersturmfuehrer), Government Councillor (Regierungsrat) Dr.TANZMANN or his deputy in office.

SUBJECT: Concordat between the Holy See and the Republic of Austria.

The question of further validity of the Austrian Concordat (KONKORDAT) which has already been brought up by the Reich- and Prussian Minister for Ecclesiastical Affairs in his letters to the Foreign Office of 22 March 1938 - II 1563/38 - and of 26 March 1938 - G II 1596/38 -, is one of fundamental importance for a number of matters to be worked out by the central office for the execution of the re-union of Austria with the German Reich as well as other offices of the Reich and Austria concerned with it. This question has to be brought to a conclusive clarification immediately.

I deem the following conceptions possible:
The Concordat (KONKORDAT) will not be considered as binding already for the reason that it has not at all been reached within the framework of the constitution.

The more detailed reasons for that are evident from the following:

1. The negotiations for conclusion of the Concordat had come to an end already on 5 June 1933, on which day the Concordat had been initialed in Vatican City.

Regardless of that, the Concordat was not submitted for further constitutional processing by the federal government of Austria for

H1239 - 0048

almost a whole year, because the National Council of Austria was considered suspended in accordance with the so-called "self-elimination" thesis represented by the federal government due to the resignation of all its three presidents, and beyond that, the acceptance of the Concordat could not be expected because of the majority relationships as they existed at that time within the National Council.

The constitutional processing, in accordance with article 50 of the federal constitutional law as provided for in the version of 1929 (BGBl Nr 1/1930), would have had to consist of the fact that the Concordat (Konkordat), being a political and law-changing treaty of the State, would have to be presented to the National Council for approval in order to attain its validity, in which connection the respective decision regarding the character of this State treaty, which simultaneously changes the constitution, can only be made in the presence of at least half of the members of the National Council with a majority of two thirds of the votes cast; besides, the decision of the National Council would have had to be submitted to further prescribed procedure (presentation to the Federal Council).

The Concordat was processed further only in conjunction with the development which led to the constitution of 1934, and that in the following manner:

While, up to that date, the repeatedly uttered request for another session of the National Council had always been opposed on the ground that it was impossible to convoke it because of the so-called "self-elimination program" and whilst, on the basis of this claim, one had governed by means of the enabling act (Ermaechtigungsgesetz) for war economy which had originally been passed for certain exclusively economic purposes (BG.Bl. No. 307/1917), now all of a sudden, also based on this act, by a decree dated 24 April 1934 (B.G.Bl. I No. 238/1934), the federal act concerning the rules of procedure of the National Council was amended to the effect that, although a president did not exist, the National Council was in a position to reassemble.

H1239 - 0049

This procedure was absolutely unconstitutional. The Federal Government prevented through police power the attempt of the last-retired president of the National Council to revive this body by summoning the National Council anew in his capacity as the last president. On the other hand, the Federal Government had also constantly refused to use the possibility given by article 18, paragraph 3-5 of the Federal constitutional Law of 1929, to set the National Council going again through an emergency decree of the Federal president. Instead of this, in the mean-time, all possible legal measures were based upon the enabling act for war economy, which was entirely contrary to the realm of authorization of this law and entirely against the constitution. An especially notorious abuse of the enabling act for war economy was the employment of the enabling act for war economy for the issuance of the aforementioned decree with which the rules of procedure of the National Council were changed.

As it turned out, the National Council summoned on this basis no longer had the composition with which it had emerged from the last elections; on the contrary it was only a rump-parliament, because all mandates of the Social Democratic Labor Party in the mean-time were also declared void by a decree of February 16, 1934 (BGBl. I Nr.100/1934) also based upon the before-mentioned enabling act for war economy.

This rump-parliament assembled on 30 April, 1934 for a conference in which solemn declarations were made by the Gross Deutsche Volkspartei and the Landbund - the two parties with outspoken National character - in which the constitutional legality of the whole procedure was expressly disputed, after which all delegates of the two named parties left the conference, with the exception of one delegate of the Landbund who at the same time was holding a public office, so that for the further discussions and resolutions only the beforementioned one delegate of the Landbund and the delegates of the Christian-Social-Party and the Heimatschutz remained who together comprised only 76 delegates.

These 76 delegates now passed the so called Federal Constitutional Law concerning extraordinary measures within the jurisdiction of the constitution (BGBl. I Nr. 255/1934). Through Art. I of which the above mentioned decrees of Art. 50 of the Federal Constitutional Law of 1929 concerning the co-operation of the National Council in National treaties were cancelled. This constituted, in addition to the unconstitutional manner of the summons, a further very substantial violation of the constitution, in that - as has been mentioned already in the beginning - according to Art.44, section 1, of the Federal Constitutional Law in the version of 1929, constitutional laws could only be passed in the presence of at least one half of the members of the National Council with a two-thirds majority of the votes cast, but the National Council consisted, in accordance with paragraph 1 of the election rules of 165 delegates and therefore the presence of at least 83 delegates would have been required in order to pass upon a resolution changing the constitution.

H1239 - 0050

After the federal constitutional Law of 30 April 1934 had also been presented to the Federal Council which for the same reasons as the National Council, held sessions as a rump body, and it had issued no protest, it was announced yet on 30 April 1934, causing the day of its taking effect to be the 1 May 1934.

Already during the night of 30 April to 1 May 1934, the exchange of ratifications prepared with the Papal Nuntio took place and already on the 1 May 1934 the Concordat was made public in the federal gazette.

From the preceding explanation it is evident, that the Concordat between the Holy See and the Republic of Austria has been concluded under circumstances which offer the possibility to represent, with reasons which cannot be contradicted, the point of view that the conclusion of the Concordat was completely in violation of the constitution and therefore no legal validity can be attributed to the Concordat. In this respect it has to be noted that the fact that the Concordat was concluded in violation of the constitution was regarded as a fact already at that time in all serious judicial circles in Austria. (Compare in this respect particularly also the remarks referring to the Concordat made in the work of GUERKE on "The Austrian Constitution of 1934" in the archive of public law, new edition, volume 25, page 178 pp).

This point of view would open up the following additional path:

The Reich government declares to the Holy See on the basis of these facts that, after examining the legal angle, it had come to the conclusion that for the reason stated it could not recognize the Concordat any longer and is combining with that also with the effect "exnun and with simultaneous legal settlement of the questions remaining unclarified through the abrogation of the Concordat, the abolition of the Austrian legal regulations referring to the Concordat (Federal law BGBl II, Nr. 8/1934 in the version of BGBl Nr. 134/1935 and decree BGBl II Nr. 13/1934).

2. The Concordat has expired automatically, through the reunion of Austria with the German Reich, because Austria has vanished as independent state, has obtained the constitutional position of a German state and therefore lost the position as a subject of international law. This point of view which by reason of logic can surely only be taken retroactive to 13 March 1938. would be based more exactly on the following:

"Within the international legal sphere there is no general legal succession of the territorial successor into the rights and duties of the territorial predecessor. It rather has to be scrutinized in each case separately, whether a legal succession in accordance with international law occurs. With the fall of the territorial predecessor, the bi-lateral state treaties concluded by him are as a rule void. However some exceptions to this principle are recognized: National practice has shown that state treaties will be renewed tacitly by the territorial successor simply by administering them further. But a new state may also be forced, in order to obtain desired recognition, to take over certain state treaties. A general duty in accordance with international law for the fulfillment of obligations resulting from treaties made by the territorial predecessor, exists, however, only in the following cases: As a rule, state treaties which concern the territory of the state taken over as such, that is, so-called "radizierte" treaties (border treaties, treaties on rivers and roads of communication), will also fall to the territorial successor. Furthermore, those Concordats which have in accordance with customary law found recognition beyond the sphere of the partners of the treaty, will also be valid for the territorial successor. Lastly rules can be established through a collective treaty which determines a certain order for a group of states. Those norms also remain in effect in case of territorial changes within that group and therefore also fall to the territorial successor. (Compare VERDROSS, international law 1937 Page 71).

The following additional consequences would be combined with the conceptions mentioned above:

To 1) The establishment of the unconstitutional conclusion of the Concordat would first of all represent a strong moral verdict against the whole past system connected with the names DOLLFUSS and SCHUSCHNIGG in Austria, which could be politically very desirable for various reasons.

The attitude of the Reich government toward the other bilateral State-treaties signed by Austria would not be prejudiced as no other state treaty of more importance was signed under the same circumstances as the Concordat. One would prefer this procedure in the expected discussions with other countries, some of which(Jugoslavia, Poland, England) have already referred to their stipulated rights in Austria.

The declaration that the Concordat will not be acknowledged on the grounds of unconstitutionality and the repeal of the connected Austrian legal provisions with "ex nunc" effect would not influence the validity of the legal acts based on the Concordat (especially on the field of matrimonial law as to states rights). An express legalization of the past is therefore not required.

Furthermore one could arrive at the point where the conception could be maintained that former Austrian territory, in contrast to remaining Reich territory, had become entirely free of the Concordat, an interpretation which would be especially unwelcome to the Holy See for various reasons, and would force open the entire question of the future relationship between the Reich and the Holy See with all the resulting consequences in favor of the Reich in eventual further conferences with the Holy See.

To 2.) On a former occasion the church adopted this point of view, as the Reich- and Prussian Minister for church affairs has already pointed out in his letter to the Foreign Office of 22 March, 1938.

Thus in a statement to the secret consistory of 21 November, 1921 Pope Benedict XV discussed the question of the validity and tenure of the Concordats, since retroactive effects had arisen from the changes in state territories and organizations produced by the world war. Therein the Pope distinguished between countries which were newly created, countries with considerable territorial expansion, and countries which have changed so completely that they could not be considered the same "moral person" According to Pope Benedict XV opinion all these three classes of countries have "lost their privileges granted in former Concordats". It is quite evident, that Austria, after it became a part of the German Reich since March 13, 1938, cannot be considered the "same moral person" as before.

It has not yet been decided how the bilateral Austrian state Treaties of non-economical nature which have been listed in the letter of the Foreign Office of April 6, 1938 - R VII.38 will be handled. One cannot yet perceive whether the Reich will take over one or the other of these treaties. This would no doubt be made use of by the Holy See to insist on the succession of the Reich as to the Austrian Concordat. On the other hand application of the theory of international law relating to succession of states as discussed above may lead to unnecessary suspicious in other cases, in which the Reich intends to bring about a peaceful solution with the other partner to the agreement.

If one is of the opinion that the Austrian Concordat is abolished by the actual reunion of Austria with the Reich then the question comes up whether, on account of the same fact of territorial expansion, the Concordat of the Reich logically would have to be regarded as applying to Austria too.

H1239 - 0051

H1239 - 0052

The Reich Concordat was, as far as I know, not expressly extended to the Saar-District, after the Re-embodiment of the latter into Germany; there can be no doubt, however, that the Reich Concordat has formal validity in the Saar-District to-day. Even though the Saar-District -unlike the Federal State of Austria- had not concluded a Concordat of its own with the Holy See prior to its re-embodiment, there can be no doubt as to the former independent legal competence in accordance with international law of the Saar-District. In view of a comparison with the Saar-District and the possible conclusion to be drawn with regard to Austria it seems advisable not to claim the expiration of the Concordat on the grounds that the Austrian independent state has ceased to exist.

The Austrian Concordat however, has established very incisive regulations in the sphere of matrimonial law; as pointed out by the Reich Minister for Church Affairs, according to which the Canon Law alone is competent for marriages of Catholics; this law has the validity of a civil law; the publishing of banns and the laying down of obstacles to matrimony are stipulated according to Canon Law; Catholic Church authorities and law-courts are competent for matrimonial affairs; the parson is a registrar at the same time. Should the Concordat therefore be considered as having expired as of March 13, 1938 a number of most complicated legal questions would arise; in particular the question as to what legal validity should be given to catholic matrimonies concluded in Austria after March 13, 1938 and which other legal consequences are to be considered as connected with such matrimonies. It would be regrettable should one have to draw the conclusion that legal acts based on the expired Concordat had subsequently to be sanctioned by the state.

On weighing the advantages and disadvantages of the two conceptions both of which can be supported by good legal arguments I should like to speak in favour of the conception explained under 1).

I shall be glad if you will inform me of your opinion about the question raised by May 15, 1938. I am quite aware of the fact that in view of its great political importance the decision can only be made by the Fuehrer and Reich Chancellor.

After receipt of your communication I reserve the right to summon a conference.

signed: Frick

H1239 - 0053

TRANSLATION OF DOCUMENT NO. 680-PS
(cont.)

D. RM.d.J.

Berlin, May 13, 1938

Special Delivery!

To

The REICH AND PRUSSIAN MINISTER OF THE INTERIOR

c/o Ministerialrat Dr. Hoche

Secret!

TO THE OFFICE
MAY 14, 1938
signed: Templev(?)5/14/

Subject: Concordat between the Holy See and the Republic of Austria.

Re. communication of the 5th of this month

Nr. I-176/38

Despatched May 14, 1938
-signed: Templev(?)

1014 g

Not later than today

Your communication, as per discription on the margin was received here on the 9th of May. Considering the importance a proper handling of this matter carries for the official business under my jurisdiction I shall be unable to announce a final statement before the 15th of this month.

I therefore request that the time allotted me for a reply to the communication be tacitly extended to May 25

for the office 5/14/38
10 o'clock

EK.

I.V.

(S) ILLEGIBLE

Final regulation of
5/23/38 with V a
146/38 g page 13

V a 138/38 g

H1239 - 0054

V a 138/38 g

1. Note

Of the 4 spare copies (Ueberstuecke), which were procured I have given one to Ministerialrat Ficker and at the same time one to KGR Kaulbach because of the question of canonical law and at the same time for the minister.

Ministerialrat Ruppert, who has already offered a preliminary opinion, wants to express his conclusive opinion at a later date, since, he will presumably not be present by the end of the week, because of his vacation.

The report on the matter will probably be made to Secretary of State, Dr. Schlegelberger's, on Saturday the 21st, the report to the minister's on the 23rd of May. The matter should be fully prepared by that time.

2. The office is requested to refer on Monday May 16 the occurrences, including any opinions of the Ministries concerned to MinRat Dr. Kriege who is handling the matter.

Berlin, May 14, 1938

Presented upon arrival from the Reich and Prussian Ministry for Ecclesiastical Affairs on May 11, 1938.

The 4 duplicates have been placed in the file of papers to be destroyed.

H1239 - 0055

To Mr. Kriege, Counsellor of the Ministry of Interior,
respectfully submitted:

Mr. Thees has asked me to give my opinion on the letter of the Ministry of Interior, dated 5.5, regarding the Austrian Concordat, insofar as the letter pertains to my sphere.

With regard to the reform work in the field of matrimonial law and, in close connection with it, the creation of a uniform matrimonial law for Greater Germany, two points are of decisive importance:

a) The Concordat must not offer any impediment as soon as this matrimonial law comes into forces.

b) The legislation for the execution of the Concordat, namely the law of 4.5.1934, has to remain in force until this time.

This result, decisive for any further action, cannot be achieved, in my opinion, on the basis of the first proposal of the Ministry of Interior. If the Concordat were null and void on account of unconstitutionality, then the same would apply to the legislation for its execution; the marriages based on the law of 4.5.1934 would be void and would have to be sanctioned with retroactive force. It is not clear to me how, on the basis of this reasoning, the Ministry of Interior can achieve a non-retroactive result in the nullification (p. 5).

There remains, therefore, the second solution proposed by the Ministry of Interior. If the Concordat excludes state succession, it seems to me, nevertheless, that the expiration of the law of 4.5.1934 does not result with effective date of 13.3.38. Even if an international pact expires, it seems to me that the legislation for the execution would bind the subjects until it was abrogated by an act of the state. The statements on page 9 of the letter are inaccurate insofar as the marriages which were contracted after 13.3 were not contracted by virtue of the expired Concordat, but by virtue of the law of 4.5.1934. Accordingly, it seems to me that continuing effect of the law of 4.5.1934 can be achieved in this way.

/S/ Ficker 18/5

H1239 - 0056

REICH AND PRUSSIAN MINISTRY FOR CHURCH AFFAIRS

Berlin W.8., 11th May 1938
3, Leipzigerstrasse.

(stamp)
Reich Ministry of Justice,
13th May 1938.
Sect. V.

Re: Austrian Concordat.

Secret!

Communication of the Reich Minister of the Interior, May 5, 1938
I 176/38
1014 g

Va 138/38g (Contents noted for the Minister)

The question whether the Austrian Concordat should be considered by the Reich Government as having been illegal and invalid from the very start, or as having been abolished by the revolution or whether it should be expressly cancelled can not be decided from a legal point of view but has to be decided from a political point of view.

This political decision can only be taken by the Fuehrer. Suggestions to this effect will be made to him by the Ministers competent in questions of foreign policy and of church affairs, i.e. by the Reich Minister for Foreign Affairs and by the Minister for Church Affairs, who have already contacted each other for this purpose.

Also the question of the Reich Concordats to Austria (which, by the way, is utterly unbearable) is not a legal but a political matter. The question of the continuation of the Reich Concordat and of the "state"-Concordats is connected with this problem. Here too the decision rests with the Fuehrer,

With regard to the execution of the necessary laws in Austria, resp. to the introduction of Reich Laws in Austria the only decisive factor is the political interest of the Reich, whereby the Austrian Concordat will be considered as non-existent.

signed: KERRL.

To

a) The Reich Minister of the Interior,
b) The Ministry of Foreign Affairs,
c) The Reich Minister of Justice,
d) The Reich Minister of Education,
e) The Deputy of the Fuehrer,
f) The Reich Leader of SS troops and Chief of the German Police,
g) The Reich Minister and Chief of the Reich Chancellery.

(In connection with a 146/38g)
Va-139/38g

H1239 - 0057

The Reich and Prussian
Minister of Education etc.

Berlin W8, May 17, 1938

Z II a Nr. 10074 Geh/38

Reich Ministry of Justice
May 18, 1938
Dept. V Off. a

S e c r e t.

In reference to the communication of May 5, 1938-I 176/38
1014 g

V a 138/38 g re Concordat between the Holy See and the Republic of Austria.

I agree with your conception in the final analyses.

The Austrian concordat did not - according to your arguments - enter into a due constitutional existence and is therefore without legal effect. However in contradistinction to your arguments I believe it correct to assume, that the treaty was void from the beginning (ab initio)and not from now on. Therefore all legal acts, which have taken place up to the day of establishment of invalidity of the Austrian concordat would have to be sanctioned retroactively.

Looking at both possibilities, as presented by you, the Austrian concordat is void ab initio, in the first case as represented by you and also by me from the very beginning,in the second case from March 13, 1938 on. For legal considerations, in both cases, the subsequent sanctioning of any legal acts, carried out meanwhile, is absolutely required.

By registered mail.

1.) Reich Minister and Prussian Minister of the interior
attention: Min.Buerodirektor STOPPEL or acting deputy.
2a) Reich Minister and Prussian Minister for Church Affairs
Attention Regierungsrat URLACHER or acting deputy.
b) the Foreign deputy Office
Attention Amts- and Hofrat SCHIMPKE
or acting deputy
c) Reich Minister of Justice
Attention Min.Buerodirektor STADERMANN
or acting deputy
d) Deputy of the Fuehrer
Attention SS-Oberfuehrer KNOBLAUCH
or acting deputy
e) Reichsfuehrer SS and Chief of the German Police
Attention SS-Untersturmfuehrer Reg.Rat Dr. TANZMANN
or acting deputy

to 2.) Duplicate for taking note of.

In long hand:
Dr. KRIEGE

V a 146/38 / 1 Encl. (2 dupl) Duplicate to file

H1239 -0058

The first possiblility, the establishment of the legal invalidity of the Austrian Concordat - has in its favor, as ably shown by you, that a moral condemnation of the past system in Austria is brought about. This system seized the power without a mandate of the Austrian people and concluded the concordat without authorization on the part of the Austrian people. Further I don't think, that we have to fear the effects upon the Saarland, which you indicated. However it seems to me of the utmost importance, that the treaties, concluded by Austria with other states, have not been concluded under similar circumstances; therefore these states do not have to fear similar consequences, a fact, which should be pointed out at the time of the declaration of the invalidity of the Austrian concordat.

However I think it advisable, to refer while dealing with the Curia, especially since this point of view was also advocated by Pope Benedikt XV in his statement of November 21, 1921 before the Secret Consistory. (Geheimkonsistorium)

I also take the position that Austria is without any concordat after the establishment of the invalidity of the Austrian concordat. I do not consider an extension of the Reichconcordat to Austria appropriate from the point of view of my office.

By authority of the
State Secretary.

Signed KUNISCH

Certified:

signed: Illegible
Verwaltungssekretaer

H1239 - 0059

19 May 1933.

1. Minister of Education, signed Kunisch, May 17, secret: sends copy of his letter of May 17th to the Minister of the Interior, concerning the Concordat between the Holy See and the Republic of Austria.

I agree with your concept as far as results are concerned.

The Austrian Concordat is devoid of legal validity, since it was not concluded in an orderly fashion and in accordance with the constitution, as apparent from your explanations. However, I shall have to differ with you on the point, that the contract is not merely invalid "ex nunc" (from now on) but "ex tunc" i.e. from the very beginning. The necessity arises therewith to sanction retroactively all legal acts executed by reason of the Concordat till the date when invalidity of the Austrian Concordat was proven.

Entering upon the two possibilities explained by you the Austrian Concordat would therefor be invalid "ex tunc", as far as your first case and also mine is concerned from the very beginning, and in the second case as of 13 March 1938. In both cases the need arises on the basis of judicial-political considerations for retroactive sanction of legal acts executed in the meantime.

The first possibility, the proof of the constitutional invalidity of the Austrian Concordat, carries a moral condemnation of the former system in Austria, as you have explained so fittingly: a system that without the mandate of the Austrian people had usurped the power of state and concluded a Concordat without the official approval (Legitimation) of the Austrian people. I should add, that I have no fear of possible conclusions a posteriori concerning the Saar-District, which you have mentioned. I consider it of highest importance that other treaties concluded with other States by Austria were not made under similar circumstances, thus those States had no reason to fear similar repercussions for themselves, a fact which should be emphasized immediately upon presentation of proof of the invalidity of the Austrian Concordat.

However, I consider it correct procedure, that we should assist the curia (Kurie) by showing them the second possibility, specially that this conception was advocated by Pope Benedictus XV in his declaration of 21 November 1921 before the Secret Consistorium.

I also support the view point that after proof has been presented of the invalidity of the Austrian Concordat, Austria will be free of concordats. An extension of the Reich Concordat to include Austria I would not consider advisable or within the interest of my sphere of competence.

H1239 - 0060

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 680-PS

14 December 1945

I, Dr.H.v.V. Veith U.S. Passport No. 17664, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No.680-PS.

Dr.H. v.V. Veith
U.S. Passport
No. 17664

H1239 – 0061

TRANSLATION OF DOCUMENT NO. 779-PS
OFFICE OF U S CHIEF OF COUNSEL

Pencilled noted on top of page

(1) 3F 4 487

To reduce the abuses in connection with the infliction of protective custody, the Reichsminister of the Interior has decided in his directive on the infliction and execution of protective custody of 12 April 1934, directed to the state governments and the Reichsstatthalter, that orders for protective custody can only be issued. a) for the personal protection of the arrestee b) if the arrestee immediately endangers public safety and order by his behaviour, especially by activity, inimical to the state.

If therefore, as far as these pre-requisites do not prevail, a sentence of protective custody is not permitted especially a) against persons who only insist on the use of their civic or public rights (for instance report, complaint, grievance); b) against lawyers because of representation of their client's interests; c) because of personal affair (for instance libel); d) because of any economic measures (question of salaries, dismissal of employees and similar cases).

Protective custody furthermore is not permitted for the punishment of criminal acts, for the courts are competent for that. It cannot be applied only for the reason, that a person behaves asocially or otherwise in an obnoxious manner, unless the People has become aggravated by that, and this protective custody becomes necessary for the arrestee's own protection.

(2)

Regulations of Official Agencies Regulations on Measures of Protective Custody in Prussian (taken for the administrative gazette of the Reich (REICHSVERWALTUNGSBLATT) No. 9 of 2 March 1935.) The Prussian Prime Minister. Secret State Police Insp. ? 946/11 March 1934 Berlin, 11 March
Subject: Order for measures of protective custody.

1) The previous executory regulations, applying to measures of protective custody are rescinded. In the future, limitations of personal freedom, according to article 1 of the decree for the protection of people and state of 28 Feb. 1933, may be ordered by the Secret State Police office, effective in the whole state, and by the governors and cabinet presidents (OBER-and REGIERUNGSPRAESIDENTEN) in Berlin and by the state police offices for their local jurisdiction.

The present competency of the district police authorities (KREIS-POLIZEIBEHOERDEN), namely the state counsellors (LANDRATE), is for such measures no longer applicable. The measures previously, ordered by them, become void after 31 March unless a prolongation has been ordered before then by the State (LANDES-) police authorities.

2) If protective custody has been ordered as a provisional measure because of suspicion of a criminal act, the decision of the court must be obtained immediately for infliction of legal detention for investigation, and in the case of a refusal of a legal warrant for arrest, the police measure is also to be rescinded, unless their continuation in exceptional cases appears justified for other reasons.

3) Limitations of personal freedom, which are ordered by the OBER -and REGIERUNGSPRAESIDENTEN, by the president of police in Berlin and by the state police offices, become automatically void on the 8th day after the end of the day, on which the order for protective custody has been executed, unless the continuation of the protective custody has been ordered specifically by me upon appropriate request.

H1239 - 0062

4) Every case of protective custody, ordered by the OBER -and REGIERUNGSPRAESIDENTEN, by the president of police in Berlin and by the state police offices, is to be reported to me personally (address Berlin W 9, Leipziger Platz 11a) by Telegram within 24 hours, mentioning exactly: name, age, occupation, political standpoint: of the one affected, as well as the cause of the measure; also if necessary, the necessity for apparently appropriate limitation of freedom beyond 7 days must be justified.

5) Arrests, which do not fall under the designation "protective custody", may only be made by the authorities, legally appointed for them. But in this case, a legal warrant for arrest must be obtained under all conditions within 24 hours. If such a warrant for arrest is refused by the competent judge, or if it cannot be obtained within 24 hours, the affected one is to be released immediately or, if the arrest is to remain in effect, action has to be taken according to #3 and 4 (report by telegram within 24 hours to the prime minister).

6) In the future, I will punish the abusive use of the arrest mercilessly.

Agencies of the party and the associations may not make arrests. In case of disregard of this order, the competent authorities must take actions against it immediately, and must report to me at once.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 799-PS

13 November 1945.

I, WILLARD EVANS SKIDMORE, LT (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 779-PS.

WILLARD EVANS SKIDMORE
LT (jg) USNR
391590

H1239 - 0063

TRANSLATION OF DOCUMENT 1039-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1039-PS

Report
on the Preparatory Work in Eastern European Questions

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Immediately after the notification of individual Supreme Reich offices regarding the Fuehrer's decree of 20. 4. 1941 a conference with the chief of the OKW (armed forces high command) took place. After presentation of the various political aims in the proposed Reichskommissariats and presentation of personal requirements for the East, the chief of the OKW explained that a deferment (Ok-stellung) would be too complicated in this case and that this matter could be carried out best by direct cancellation (Abkommandierung) by command of the chief of the OKW Generalfeldmarschall Keitel Then issued an appropriate command which established the basis for the coming requirements: He named as deputy and liaison officer General Jodl and Maj.Gen. Warlimont. The negotiations which then commenced relative in all questions of the Eastern Territory were carried on by the gentlemen of the OKW in collaboration with officials of my office. A conferencetook place with Admiral Canaris to the effect that under the given confidential circumstances my office could in no way deal with any representatives of the people of the East - European area. I asked him to do this insofar as the military intelligence required it, and then to name persons to me who could count as political personalities over and above the military intelligence in order to arrange for their eventual commitment later. Admiral Canaris said that naturally also my wish not to recognize any political groups among the emigrants would be considered by him and that he was planning to proceed in accordance with my indications.

Later on I informed Generalfeldmarschall von Brauchitsch and Grossadmiral Raeder about the historical and political conceptions of the Eastern problem. In further conferences we agreed to appoint a representative of my office to the Supreme Commander of the Army, respectively to the chief quartermaster and to the army groups for questions relative to political configuration and requests of the OKW. In the meantime this has been done.

Already at the outset there was a discussion with Minister of Economy (Reichswirtschaftsminister) Funk, who appointed as his permanent deputy Ministerialdirektor Dr. Schlotterer. Almost daily conferences were then held with Dr. Schlotterer with reference to the war economic intentions of the Economic Operational Staff (Wirtschaftsführungsstab) East. In this connection I had conferences with General Thomas, State Secretary (Staatssekretär) Koerner, State Secretary Backe, Ministerial Director Riecke, General Schubert and others. Far-reaching agreement was reached in the easter questions as regards direct technical work now and in the future. A few problems regarding the relationship of the proposed Reich ministry toward the four-year plan are still open and will be subject, after submission, to a decision of the Fuehrer. In principle I declared that I in no way intended to found an economic department in my office, economics would rather be handled substantially and practically by the Reichsmarschall and the persons appointed by him, however the two responsible department heads, namely Ministerial Director Dr. Schlotterer for industrial economics and Ministerial Director Riecke for food economics, would be placed in my office as permanent liaison men, to coordinate here political aims with the economic necessities, in a department which would have to unite yet other personsfor such coordinating work, depending on later and for work (political leadership of labor unions, construction etc.)

H1239-0064

After notification of the Reich foreign minister, the latter appointed Geheimrat Grosskopf as permanent liaison man to my office. For the requested representation in the political department of my office (headed by Reichsamtsleiter Dr. Seibbrandt) the foreign ministry released General Counsel Dr. Brautigam, who is known to me for for many years, speaks Russian, and worked for years in Russia. Negotiations which if necessary will be placed before the Führer are under way with the foreign office regarding its wishes for the assignment of its representatives to the future Reich commissioners.

The propaganda ministry appointed State Secretary Gutterer as permanent liaison man, and a complete agreement was reached to the effect that the decisions on all political and other essays, speeches, proclamations, etc. would be made in my office; a great number of substantial works for propaganda would be delivered and the papers prepared by the propaganda ministry would be modified here if necessary. The whole practical employment of propaganda will undisputedly be subject to the Reich ministry of public enlightenment and propaganda. For the sake of closer cooperation the propaganda ministry assigns yet another person directly to my department "Enlightenment and Press" (Aufklärung und Presse) and in addition appoints a permanent press liaison man. All these activities have been going on for some time, and without attracting attention to my office in any way, this agreement on contents and terminology takes place continually every day.

Thorough discussions took place with Reichsminister Ohnesorge concerning future transmission of communication and setting up of all technical necessities in future occupied territories; with Reichsminister Seldte on the supply of labor forces, with Reichsminister Frick (State Secretary Stuckart) in detailed form on the assignment of numerous necessary officials for the commissariats. According to the present estimate there will be four Reichs Kommissariats, as approved by the Führer. I shall propose to the Führer for political and other reasons to set up a suitable number of General Commissariats (24) Main Commissariats (about 80) and Regional (Gebiet) Commissariats (over 900). A General Commissariat would correspond to a former Generalgovernment, a Main Commissariat to a Main-Government. A Regional Commissariat contains 3 or 4 Districts (Kreise). In view of the huge spaces that is the minimum number which appears necessary for a future civil government and/or administration. A portion of the officials has already been requested on the basis of the above named command of the Chief of the OKW.

In the same manner conferences have taken place with the Reich Physicians Leader (Reichsärzteführer) Dr. Conti, the Inspector of the Army Veterinary Service, and all specialists belonging thereto. The difficulties of medical and veterinary supply were thoroughly discussed and the measures were provided, in order to insure well-prepared employment of the forces mentioned after the end of the operations. A conference with Reichsminister Dr. Todt resulted in the assignment first of all of 4 higher leaders of the Construction Service, whereupon Dr. Todt proposed to unite administratively under one leadership the whole Construction Service.

Discussions took place with Reich Leader Amann and his chief of staff Rienhardt regarding the publication of four German newspapers in the Reich Commissariats to start with. Furthermore a number of newspapers in the prospective native tongues were considered. According to the latest information the technical forces, for this work are already at the border and may be committed at any time to determine whether the prerequisites for printing shops are present.

H1239 - 0065

Discussions are also under way with Corpsleader (Korpsfuehrer) Huehnlein and with the Reich youth leadership to assure a necessary and suitable mobolization. Intensive talks also took place with the Chief of Staff (Stabschef) of the SA. He was asked to make available a number of the most reliable SA leaders for this gigantic territory, which he agreed to do. The personnel suggestions together with other suggestions will be submitted to the Fuehrer. The same agreement has been reached with the Reich organizational leader (Reichsorganisationsleiter), who has instructed the commander of Krossinsee, Gohdes, to carry out the swelling channelling of requested persons, to admit them into Krossinsee for schooling and instruction on the whole problem and prepare them in the best manner for commitment. On the orders of Dr. Ley party member Marrenbach was then employed in order to take over already now the leadership of Russian labor unions in conjunction with the Wehrmacht. That appeared as an eminently important problem, particularly also in connection with the economic leadership, because the labor unions undoubtedly have been a powerful support of the Soviets and especially have the commitment of the German Labor Front appeared necessary under certain conditions.

Lengthly discussions regarding the relationship of the Police to the new order in the East have taken place. Certain propored changes thereto have been suggested by the Reichsfuehrer SS and on his order by Gruppenfuehrer (SS Lt Gen) Heydrich which do not appear supportable to me for the complete authority of the German Reich government in the East. Also the documents of this problem will have to be laid before the Fuehrer for decision.

Aside from these negotiations I received the responsible deputies of the entire propaganda, namely Ministerial Director Fritsche, Ambassador Schmidt, Reich Superintendent of Broadcasting Glasmeier, Dr. Grothe OKW, and others. Without going into details of political objectives I instructed the above-named persons in confidence about the necessary attitude, with the request to tone down the whole terminology of the press, without issuing any statements.

The works for substantial coverage of the Eastern question prepared long ago appeared in my office, which I turned over to the propaganda deputies. I enclose a few samples thereof. These pamphlets, which may later be turned over to the press for development, deal with the whole structure and organization of the USSR, the economic possibilities of the East, Agriculture, the peoples of the Soviet Union, the work of the Komintern since 1889, the Jews in the Soviet Union since 1933, Statistical results of the poll taken among the Germans in Russia, the history of the Ukraine, of the Caucasus, of Turkestan, Extensive works are in preparation for the foundation of legal administration: German law in the Ukraine, German art in the Ukraine influence of the German language on the Ukrainian language, the Ukrainians from the viewpoint of the Germans. In addition a number of articles are being prepared in Russian language which have the purpose of enlightening the people of the Soviet Union about true conditions in Germany. These articles are also suitable as the basis for newspaper articles in the newly occupied territories. Finally, after extensive work, an ethnological map of the East based on the most recent statistical reports has been printed in great number and made available to all offices. This map can be used as the basis of eventual fixing of boundaries in the north as well as in the south, and offers points of departure for fixing the boundaries of the future Reich Commissariats.

As a result of these conferences, conducted for the most part by myself, continuous consultation and organizational preparation is under way through my office and through those of the liaison men delegated from the other offices of the Party and

the State.

I may say that all the work, inasmuch as it is at-all possible under present condition, is in full swing. Aside from the General- and Chief commissariats more than 200 Regional Commissariats are planned, which must all be manned by political leaders, representatives of the department and officials of the Reich Ministry of the Interior. The work in the East differs basically from the conditions in the West. Whereas we can count on every technical installation and a cultured population here in the big cities, that is not the case in the East. There literally everything will have to be prepared and taken along, additionally for the gigantic spaces - not only an auto park but a great number of typewriters, office material, above all medical supplies and much more down to the bed sheets. It does not appear possible to accomplish such a project suddenly in I4 days, therefor all those arrangements had to be set in full motion already now on my responsibility on the basis of the Fuehrer's decree.

The structure of my office itself is temporarily organized as follows in carrying out the Fuehrer's order. I have requested Gauleiter and Reichsstatthalter Dr. Meyer as my permanent representative. He has negotiated personally and thoroughly, throughout the whole time with all pertinent offices, in order to develop all aspects down to the details. A political department has been founded for the execution of the substantical work, under my co-worker of many years Dr. Scibbrandt (deputy General Consul Dr. Wagner); who prepares the various books and pamphlets for information. A great number of propaganda leaflets have been composed by him which will then have to be scattered over the Russian front in huge numbers by the armed forces. Also for a specific time other leaflets are ready which are addressed directly to the individual races. I do not care to decide on this date for myself, and will lay those originals before the Fuehrer at the first opportunity with the request to check the contents and determine the time of the eventually approved appeals. The political department is also undertaking a thorough investigation of all those, with the exception of Russians, who eventually can be used as advisors for the administration of the various nationalities. Continuous discussions about this subject are under way with representatives of the OKW, the propaganda ministry, etc. Secondly a department of economic - political cooperation has been founded under direction of Oberbereichsleiter Mallotke. A department of "Law, Finance, and Administration" has been taken over by Regierungspraesident Runte. A department for Culture and Science is not yet occupied since the development of this question does not appear urgent. Also the department "Enlightenment and Press", is occupied by Major of the Air Force Carl Cranz, deputy Job Zimmermann. Integrated here are co-workers who command the Russian, Ukrainian, and other languages. The wishes of the Reich Press Chief (Reichspressechef) for setting up one press chief for each Reichskommissar are under discussion in order to decide them in that sense if possible.

Thus I hope that when, after preliminary conclusion of the military action the Fuehrer has the possibility for a report from me, I shall be able to report to the Fuehrer for reaching preparations, up to those points of special and personal nature which the Fuehrer alone can decide.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. I039-PS 9. November I945

I, WOLFGANG E. THORMANN, M/SGT. 33779426, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document I039-PS

WOLFGANG E. THORMANN
M/SGT. 33779426

H1239 - 0066

H1239 - 0067

TRANSLATION OF DOCUMENT 1060-PS
OFFICE OF U S CHIEF OF COUNSEL

REICHSGESETZBLATT
TEIL I

1938 — 16 March 1938 — Nr 25

PP 249-250

Supplementary Ordinance to the Law
concerning the reunion of Austria with the German Reich - of 16 March 1938

On the basic of the law of 13 March 1938 (Reichsgesetzblatt I, p. 237) concerning the reunion of Austria with the German Reich, I order:

Paragraph 1

1) The Reichsminister of the Interior is the central office for the accomplishment of the Reunion of Austria with the German Reich.

2) He can delegate his authority to a deputy, whose office is in Vienna and who holds the official title of " Reichs deputy for Austria ".

Paragraph 2

The deputy for the four year plan can delegate authority to the Reichs deputy for Austria.

Paragraph 3

The Reichs deputy for Austria is therefore appointed jointly by the Reichs minister of the interior and the deputy for the four year plan.

Munich 16 March 1938

The Fuehrer and Reichs Chancellor
Adolf Hitler
The Reichs Minister of the Interior
Frick
The Deputy for the Four Year Plan
Goering
General Field Marshal

CERTIFICATE OF TRANSLATION
OF DOCUMENT 1060-PS

November 16. 1945

I, FRED NIEBERGALL, 2nd Lt. Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document Nr. 1060-PS.

FRED NIEBERGALL
2nd Lt.Inf., O-1335567

TRANSLATION OF DOCUMENT 1239-PS
OFFICE OF U S CHIEF OF COUNSEL

Copy

The Chief President of
the Province of Upper
Silesia.

1 June 1942

1.) I b 2

Subject: Police Court-martial.

Enclosure: Decree dated 1 June 1942.

In agreement with the Reichminister of the Interior and the Reichminister of Justice I am hereby establishing a police court-martial at Kattowitz for the annexed Eastern territories of my province, effective immediately.

The administrative competence of the police court-martial is seen from the enclosed decree.

In the sense of paragraph 1 of the decree, severe excesses of Poles and Jews as well as other criminal acts by Poles and Jews which endanger seriously the German reconstruction are:

1.) High treason (Hochverrat)

2.) High treason (Landesverrat)

3.) Sedition

4.) Crime and Attacks against public order

5.) Forgery

6.) Sexual crimes against Germans

7.) Crimes against the life of Germans

8.) Assault and battery against Germans

9.) Crime and violation against the personal freedom of Germans

10.) Theft and embezzlement against Germans

11.) Robbery and extortion against Germans

12.) Receiving and Concealing of stolen property of Germans

13.) Fraud and treachery against Germans

14.) Wilful destruction of property of Germans and the Reich

15.) Crimes and violations dangerous to the commonwealth of the Germans and the Reich

16.) Crimes and violations in the sense of the law against malice

17.) Crimes and violations in the sense of the decree of extraordinary radio measures of 1 September 1939

18.) Crimes against war economy

19.) Violations of the law for controlling venereal diseases dated 18 February 1927, as far as the violation is committed against Germans

20.) Crimes and violations in the sense of the law against criminal and publicly dangerous use of explosives

21.) Violations of the law against possession of arms

The police court-martial is competent for all punishable acts according to praragraph 1 of the decree dated 1 June 1942, which are committed by Poles and Jews in the annexed Eastern territories of the province of Upper Silesia. The court-martial can also try punishable acts committed by Poles and Jews in the other Reich territory or in the occupied territories, if the perpetration live in the annexed Eastern territories of the province of Upper Silesia.

I request to instruct the county-(Kreis) and local police authorities, competent for preliminary proceedings for punishable acts, and to submit those proceedings which come under the jurisdiction of the police court-martial immediately to the court-martial section of the state police administration, office Kattowitz, at Kattowitz, street of the SA No. 49.

Before submitting the case to the court-martial section, I request that the nationality of the accused be established beyond a doubt.

The report forms to the criminal police administration office at Kattowitz are not affected by this decree.

Distribution:

1.) To the president of the district at Kattowitz.
2.) To the president of the district at Oppeln.
3.) To the secret state police - state police administration office at Kattowitz.
4.) To the state police administration office at Oppeln.
5.) To the criminal police administration office Kattowitz.
6.) For information.
To the inspector of the security police and of the security service at Breslau.

2.) I b 2 1 June 1942

To the
Reich Minister of the Interior,
in Berlin.

Subject: Administration of law in the annexed Eastern territories.

Ref. : My report of 30 January 1942 - I b 2 - and decree there Pol. S II A 2 No. 113/42 - 176 from 22 May 1942.

Enclosure: Decree dated 1 June 1942.

Enclosed I am forwarding to you the decree about the establishment of courts-martial in the annexed Eastern territories of the province of Upper Silesia.

The decree has been put into effect on 1 June 1942.

Forwarded for your information

H1239 - 0069

3.) I b 2. 1 June 1942

To the
District headquarters (Gauleitung) Upper-Silesia,
at Kattowitz.

Subject: Establishment of a police court-martial for the annexed Eastern territories at Kattowitz.

Enclosure: Decree dated 1 June 1942.

In agreement with the Reichminister of the Interior and the Reichminister of Justice, I have established, effective immediately, a court-martial for the annexed Eastern territories of my province.

The local and administrative competence of the court-martial is defined in the enclosed decree.

Forwarded for your information.

4.) Copy of 3.) with enclosure: to

a) the district leaders (Kreisleiter) of the districts Kattowitz, Jarnowitz, Warthenau, Beuthen, Bendsburg, Krenau, Pless, Rybnik, Teschen, Bielitz and Saybusch;

b) the general command VIII sector command Breslau, Gabitzstr.;

c) the public prosecutor at Kattowitz;

d) the president of the superior court at Kattowitz;

e) the leader of the security service administrative sector (SD - Leitabschnitt) Kattowitz, attention: SS battalion leader Podlich;

f) the Reich commissar for the strengthening of German nationalism (Volkstums), attention: SS battalion leader Dr. Arlt, at Kattowitz.

5.) To the files at I b 2.

The Chief President
of the Province of Upper Silesia

Kattowitz, 1 June 1942

- I b 2 -

Decree for the establishment of courts-martial in the annexed Eastern territories of the province of Upper Silesia, dated 1 June 1942.

On the basis of number 13 of the decree of the cabinet council for the Reich defense, for the administration of criminal jurisdiction against Poles and Jews in the annexed Eastern territories and the district of the previous Free City of Danzig, dated 4 December 1941 (RGBl, I p. 759), the following is decreed in agreement with the Reichminister of the Interior and the Reichminister of Justice:

Par. 1.

1) Severe violations of Poles and Jews against Germans, as well as other criminal acts by Poles and Jews which seriously endanger the German reconstruction work, can be sentenced by courts-martial, until further notice.

H1239 - 0070

I reserve for myself the decision as to whether or not the criminal act is a crime in the sense of paragraph 1.

Par. 2.

The courts-martial pass sentence of death, transfer to the secret state police acquittal

Par. 3.

1) Courts-martial will be established for the district of a state police administration office. They consist of one president and two members.

2) President is the leader of the state police administrative office or his permanent deputy. The members will be appointed by the leader of the state police administration office.

Par. 4.

1) During the trial the court must do officially everything that is necessary to discover the truth. If necessary, the accused is to be tried with the assistance of an interpreter.

2) The names of the judges and of the accused, the evidences on which the sentence is based, furthermore the crime, the sentence including a brief justification, as well as the day of the sentencing are to be recorded.

3) Otherwise the court-martial determines its proceeding according to its dutiful judgement.

Par. 5.

1) The decisions of the courts-martial are not legally contestable.

2) The sentences of the courts-martial are subject to a re-examination which leads to confirmation or voiding.

3) The confirmation makes the sentence lawful and executable.

Par. 6.

The right of confirmation or voiding of the courts-martial sentences is mine and, on my orders, that of the higher SS and police officer.

Par. 7.

The courts-martial can, for special reasons, forego a penalty or transfer the case to another court.

Par. 8.

This decree becomes effective on the day of its publication.

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1249-PS

28 November 1945

I, ERNST M. COHN, Pfc, 33925738, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document No. 1249-PS.

ERNST M. COHN
Pfc, 33925738.

H1239 - 0071

H1239 - 0072

TRANSLATION OF DOCUMENT 1366-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1366-PS

BUDGET OF THE REICH PROTECTOR FOR THE YEAR 1944

Introduction

The Fuehrer has modified the position, duties and authorities of the Reich Protector in Bohemia and Moravia upon the appointment of the new Reich Protector. The Reich Protector is the representative of the Fuehrer in his capacity as Chief of State ... It is his function to confirm the members of the government of the Protectorate, to appoint, dismiss and retire the German civil servants. He exercises the power to grant pardons and to quash legal proceedings except in cases before the Military and SS Police Courts.

(Secret Decree of Reich Minister and Chief of the Reich Chancellory Lammers of 29 August 1943, RK.99 MD)

I, Karl E. Lachmann, an attorney for the U.S. Office of the Chief of Counsel, personally appeared before the undersigned attesting officer and upon being duly sworn, state that the above extract is a literal translation from the official German source indicated above.

/s/ Karl E. Lachmann
KARL E. LACHMANN

Subscribed and sworn to before
me this 14th Day of December 1945.

/s/ Norman A. Stoll
NORMAN A. STOLL
Captain JAGD

TRANSLATION OF DOCUMENT 1388-PS
OFFICE OF U S CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART I, PAGE 479

Law confiscating Property subversive to People and State
of 14 July 1933

Gesetz über die Einziehung volks- und staatsfeindlichen Vermögens
vom 14. Juli 1933

The Reich Government has enacted the following law which is hereby promulgated:

The provisions of the Law confiscating Communist Property of 26 May 1933 (RGBl I, 293) are applicable to assets and interests of the Social Democratic Party of Germany and their welfare and affiliated organizations and also to assets and interests which are used or destined to promote Marxist or other activities found by the Reich Minister of the Interior to be subversive to people and state.

Berlin, 14 July 1933

The Reich Chancellor
Adolf Hitler
The Reich Minister of the Interior
Frick

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1388-PS

24 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1388-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1239 – 0073

TRANSLATION OF DOCUMENT 1388-A-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1388A-PS

1933 REICHSGESETZBLATT I p. 479

LAW AGAINST THE NEW ESTABLISHMENT OF PARTIES

July 14, 1933

"Gesetz Gegen die Neubildung von Parteien"

vom 14 July 1933

The German Government has enacted the following law, which is herewith promulgated:

Art. 1

The National Socialist German Worker's Party (Nationalsozialistische Deutsche Arbeiterpartei) constitutes the only political party in Germay.

Art. 2

Whoever undertakes to maintain the organizational structure of another political party or to form a new political party will be punished with penal servitude up to three years or with imprisonment of from six months to three years, if the deed is not subject to a greater penalty according to other regulations.

Berlin, den 14 Juli, 1933.

The Reich Chancelor
Adolf Hitler

The Reich Minister of the Interior.
Frid

The Reich Minister of Justice.
Dr. Gürtner.

- -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1388-A-PS

15 Oct. 1945

I, FRED NIEBERGALL, 2nd Lt. Inf. 0-133 55 67, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 1388-A-PS.

FRED NIEBERGALL
2nd Lt. Inf.
0-133 55 67

H1239 - 0074

TRANSLATION OF DOCUMENT 1389-PS
OFFICE OF U S CHIEF OF COUNSEL

1935 REICHSGESETZBLATT, PART I, PAGE 769

Law creating Reich Labor Service
of 26 June 1935

Reichsarbeitsdienstgesetz
vom 26. Juni 1935

The Reich Government has decided to enact the following law which is hereby made public:

Chapter I

Labor Service of the Reich

Article 1

1) The Reich Labor Service is a service of honor for the German people.

2) It is the duty of all young Germans of both sexes to serve their nation within the Reich Labor Service.

3) It is the task of the Reich Labor Service to educate the German youth in the spirit of National Socialism for the community of the nation and the true conception of labor, particularly to inspire them with the necessary respect for manual labor.

4) The purpose of the Reich Labor Service is the execution of work for the common benefit.

Article 2

1) The Reich Labor Service is subordinated to the Reich Ministry of the Interior. The Reich Labor leader rules under its jurisdiction over the Reich Labor Service.

2) The Reich Labor leader is at the head of the Reichsleitung of the Labor Service. He dictates its organization, decides about the mobilization of labor and directs training and education.

Chapter II

The Labor Service Duty of the Male Youth

Article 3

1) The Fuehrer and Reich Chancellor determines the number of the eligible recruits for every year and decides about the length of service.

2) The service starts at the minimum completed age of 18 and ends with the maximum completed age of 25.

3) As a rule, the eligible recruits will be called for labor duty in the year of completion of their 19th year.

4) Voluntary admission at an earlier age is possible.

5) Prison terms of more than 30 days will have to be made up for by the recruits and volunteers of the Reich Labor Service, if their offence does not make necessary their dismissal from the Reich Labor Service, according to Article 16.

Article 4

The eligible recruits for labor will be conscripted by the "Ersatz-dienststellen of the Reich Labor Service.

H1239 - 0075

H1239 - 0076

Article 5

1) The following are excluded from the Reich Labor Service:

a) Ex-convicts,
b) who is not in possession of the civic rights,
c) who comes under the regulations of security and correction according to Article 42a of the penal code (Strafgesetzbuch),
d) who has been expelled from the National Socialist Party because of dishonorable activities,
e) who has been condemned by the court because of activities against the State.

2) The Reich Minister of the Interior can make exceptions concerning Part 1, letters c and e.

3) Labor Service recruits who have been declared unworthy to occupy public offices can only be called, after the time of the loss of that honor, determined by the verdict, has elapsed.

Article 6

1) Persons who are completely unfit for labor service will not be conscripted for same.

2) Labor Service recruits residing abroad or intending to go abroad can be exempted from the fulfillment of labor service for up to two years, in exceptional cases even permanently, but in any case only as long as they stay abroad.

Article 7

1) Not eligible for labor service are persons of non-aryan descent or who are married to a person of non-aryan descent. The ruling of the Reich Minister of the Interior as in Article 1, part 3 of the Reich Law for Civil Servants, dated 8 August 1933 (RGBl I, 575), determines who is to be considered of non-aryan descent.

2) Non-aryans who have been declared worthy for armed service (wehrwuerdig) according to Article 15, part 2 of the Armed Service Law (Wehrgesetz) can also be accepted for labor service. They cannot occupy superior positions in the labor service, though.

Article 8

Eligible labor recruits can be deferred from labor service for up to 2 years, in the case of vital professional reasons up to 5 years.

Chapter III

The Labor Service Duties of the Female Youth

Article 9

The rules concerning the labor service of the female youth will be a matter of special legislation.

Chapter IV

Duties and Privileges of the Members of the Reich Labor Service

Article 10

1) The following are members of the Reich labor service:

a) The cadre,
b) The conscripted recruits,
c) The labor service volunteers

2) People can be hired by contract for certain functions of the interior service.

H1239 - 0077

Article 11

1) The cadre consists of the leaders and office holders according to plan (T.O.) as well as the candidates for these offices. The regular leaders and office holders work for the Reich Labor Service on a professional basis.

2) The leader candidate has to sign up for at least ten years of continuous service and must prove his aryan descent, before he can be promoted to a regular leader (Truppfuehrer - sergeant). He must also have accomplished his military service.

3) Regular leaders and office holders must absolutely resign at a certain age limit.

4) Civil servants of other administrations who are transferred to the Reich Labor Service retain their claim concerning their financial privileges which they acquired prior to their transfer.

5) The Fuehrer and Reich Chancellor nominates and dismisses the members of the Reich Labor Service from the rank of major (Arbeitsfuehrer) and up. The other members of the Reich Labor Service are nominated and dismissed by the Reich Minister of the Interior on the proposal of the Reich Labor Leader (Reichsarbeitsfuehrer). He can confer this authority onto the Reicharbeitsfuehrer

Article 12

1) A regular Fuehrer or office holder can be dismissed from the service in any of these instances:

a) in justified cases on his own request,
b) if he does not possess any more the necessary physical and mental capacities to carry on in his job, and if the recovery of these capacities cannot be expected within a year, according to a certificate of a doctor of the labor service.
c) if his superior decides that he does not possess the necessary qualifications any more to carry on in his office.

2) Subsequent discovery of reasons for inadmissibility to the Reich Labor Service according to Articles 5 and 7 will result in immediate dismissal.

3) The intention of dismissal is, in the cases of part 1, letters b and c, to be made known 3 months in advance to the members of the cadre with more than 5 years of service and 1 month for the other members, with the motivation of dismissal. No previous notification of dismissals are necessary in all other cases.

Article 13

The membership of the Reich Labor Service lasts from the day of admission or conscription (Gestellungstag) until the end of the day of discharge.

Article 14

Membership of the Reich Labor Service does not constitute a work and service relationship in the sense of labor rights and social security as put down in Article 11.

Article 15

The members of the Reich Labor Service come under the penal regulations of the Reich Labor Service.

Article 16

1) Labor service recruits and volunteers can be released before the end of their term in the following cases:

a) on their request, if a reason for deferment, according to Article 8 came into existence after induction.

H1239 - 0078

b) if they are no longer in the possession of the physical or mental capacities necessary for the performance of the service.

2) A premature dismissal of labor service recruits and volunteers must be ordered in the case of subsequent discovery of reasons for inadmissibility to the Reich Labor Service according to Articles 5 or 7.

Article 17

1) Members of the Reich Labor Service, who belong to the National Socialist Party, cannot participate in the activities of the Party or its subdivisions.

2) In order to acquire and to exercise membership of any kind of organization as well as in order to form any kind of organization within or without the Reich Labor Service, the members of the Reich Labor Service must first obtain the authorization of the Reich Labor Service. The acquisition of membership of the National Socialist Party does not necessitate an authorization.

Article 18

The members of the Reich Labor Service must obtain an authorization in order to get married.

Article 19

The members of the Reich Labor Service must obtain an authorization in order to carry on a trade, for themselves and the members of their household, as well as in order to accept a paid, supplementary occupation.

Article 20

1) The members of the Reich Labor Service can refuse the position of a guardian, trustee, foster-father and supporter as well as any honorary occupation in the service of the Reich, country, community or the party.

2) An authorization is necessary for the acceptance of such a function. It can only be refused in vital cases.

Article 21

Members of the Reich Labor Service are entitled to free medical treatment and care in the case of sickness and accidents, according to special regulations.

Article 22

The salaries of the members of the Reich Labor Service are handled by the wage regulations of the Reich Labor Service.

Article 23

1) Financial claims resulting from the participation in the Reich Labor Service come under the regulations applicable to civil servants of the Reich. The highest authority in the spirit of these regulations is the Reich Labor Leader.

2) The decisions of the Reich Labor Service concerning the induction (articles 5, 6, 7), deferment (Article 8) and dismissal (Articles 12 and 16) are binding for the courts. The same applies to decisions about temporary relive of duty.

Article 24

The protection of the incapacitated in performance of the service and the personnel released after at least ten years of service and their survivers is regulated by the Reich Labor Protection Law (Reichsarbeitsdienstversorgungsgesetz).

H1239 - 0079

Article 25

1) The Fuehrer and Reich Chancellor or his appointed representative office can authorize the departing members of the Reich Labor Service to wear the Reich Labor Service uniform until further notice.

2) This privilege is ordinarily only granted after at least 10 years of honorable service.

Chapter V

Final Instructions

Article 26

The legal and administrative regulations necessary for the execution and completion of this law will be issued by the Reich Minister of the Interior.

Article 27

1) This law becomes effective the day of its publication.

2) The Reich Minister of the Interior is authorized to determine at a later date for the effectiveness of various regulations of this law.

Berlin, 26 June 1935

The Fuehrer and Reich Chancellor
Adolf Hitler
The Reich Minister of the Interior
Frick

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1389-PS

5 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1389-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

TRANSLATION OF DOCUMENT 1390-PS
OFFICE OF U S CHIEF OF COUNSEL

H1239 - 0080

1933 REICHSGESETZBLATT, PART 1, PAGE 83

Decree of the Reich President for the Protection of the People and State of 28 February 1933

Verordnung des Reichspräsidenten zum Schutz von Volk und Staat vom 28. Februar 1933

In virture of Section 48 (2) of the German constitution, the following is decreed as a defensive measure against Communist acts of violence, endangering the state:

1390-PS

Article 1

Sections 114, 115, 117, 118, 123, 124, and 153 of the Constitution of the German Reich are suspended until further notice. Thus, restrictions on personal liberty, on the right of free expression of opinion, including freedom of the press, on the right of assembly and the right of association, and violations of the privacy of postal, telegraphic, and telephonic communications, and warrants for house-searches, orders for confiscations as well as restrictions on property, are also permissible beyond the legal limits otherwise prescribed.

Article 2

If in a state the measures necessary for the restoration of public security and order are not taken, the Reich Government may temporarily take over the powers of the highest state authority.

Article 3

According to orders decreed on the basis of Article 2, by the Reich Government, the authorities of states and provinces (Gemeindeverbände), if concerned, have to abide thereby.

Article 4

Whoever provokes, or appeals for or incites to the disobedience of the orders given out by the supreme state authorities or the authorities subject to them for the execution of this decree, or the orders given by the Reich Government according to Article 2, is punishable - insofar as the deed is not covered by other decrees with more severe punishments - with imprisonment of not less than one month, or with a fine from 150 up to 15,000 Reichsmarks.

Whoever endangers human life by violating Article 1, is to be punished by sentence to a penitentiary, under mitigating circumstances with imprisonment of not less than six months and, when violation causes the death of a person, with death, under mitigating circumstances with a penitentiary sentence of not less than two years. In addition the sentence may include confiscation of property.

Whoever provokes or incites to an act contrary to public welfare is to be punished with a penitentiary sentence, under mitigating circumstances, with imprisonment of not less than three months.

Article 5

The crimes which under the Criminal Code are punishable with penitentiary for life are to be punished with death: i.e., in Sections 81 (high treason), 229 (poisoning), 306 (arson), 311 (properties), 324 (general poisoning).

Insofar as a more severe punishment has not been previously provided for, the following are punishable with death or with life imprisonment or with imprisonment not to exceed 15 years:

1. Anyone who undertakes to kill the Reich President or a member or a commissioner of the Reich Government or of a state government, or provokes to such a killing, or agrees to commit it, or accepts such an offer, or conspires with another for such a murder;

2. Anyone who under Section 115(2) of the Criminal Code (serious rioting) or of Section 125(2) of the Criminal Code (serious disturbance of the peace) commits the act with arms or cooperates consciously and intentionally with an armed person;

3. Anyone who commits a kidnapping under Section 239 of the Criminal Code with the intention of making use of the kidnapped person as a hostage in the political struggle.

Article 6

This decree enters in force on the day of its promulgation.

Berlin, 28 February 1933.

The Reich President
von Hindenburg
The Reich Chancellor
Adolf Hitler
The Reich Minister of the Interior
Frick
The Reich Minister of Justice
Dr. Guertner

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1390-PS

3 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1390-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1239 - 0081

1393 PS

1934 REICHSGESETZBLATT, PART I, PAGE 1269

Law on treacherous Acts against State and Party, and for The Protection of Party Uniforms of 20 December 1934

Gesetz gegen heimtückische Angriffe auf Staat und Partei und zum Schutz der Parteiuniformen vom 20. Dezember 1934

The Government of the Reich has decided to enact the following law, which is published herewith:

Chapter 1

Article 1

1) Unless heavier punishment is sanctioned under the authority of a law previously established, imprisonment not to exceed two years shall be imposed upon anybody deliberately making false or grevious statements, fit to injure the welfare or the prestige of the government of the Reich, the National Socialist Workers Party or its agencies. If such statements are made or circulated in public, imprisonment for not less than 3 months shall be imposed.

2) Anyone committing the offense insolently and carelessly shall be punished with imprisonment not to exceed 3 months or with a fine.

3) If the offense is directed solely against the prestige of the NSDAP or its affiliated agencies, the offender shall be prosecuted only with the consent of the Fuehrer's deputy or of agencies authorized by him to initiate the prosecution.

Article 2

1) Anyone who makes or circulates statements proving a malicious, baiting or low-minded attitude towards leading personalities of the State or the NSDAP, or towards orders issued by them or towards institutions created by them - fit to undermine the confidence of the people in its political leadership - shall be punished with imprisonment.

2) Statements of this kind which are not made in public shall warrant the same punishment - provided the offender figures on his statements being eventually circulated in public.

3) The offender shall be prosecuted only by the order of the Reich Minister for Justice; in case the offense was committed against a leading personality of the NSDAP, the Reich Minister for Justice shall issue the order in agreement with the Fuehrer's Deputy.

4) The Reich Minister for Justice in agreement with the Fuehrer's Deputy shall determine who is to be regarded as a leading personality as specified in (1).

Article 3

1) Anyone who commits or threatens to commit a punishable act, or who is wearing the uniform or an insignia of the NSDAP, or carries it on his person without being a member of the NSDAP or its affiliated agencies and therefore being entitled to do so, will be punished with forced labor or in minor instances with imprisonment not to exceed 6 months.

2) Anyone who commits the offense with the intention to stir up unrest or to sow fear or terror in the population, or to create difficulties for the German Reich with a foreign power, shall be punished with forced labor not to exceed 3 years or with forced labor for life or in particularly grave cases with death.

3) According to this law, a German national may be punished also if he has committed the offense in a foreign country.

H1239 - 0082

H1239 - 0083

Article 4

1) Anyone who for the sake of a material advantage or for political ends poses as a member of the NSDAP or its agencies, shall be punished with imprisonment not to exceed 1 year plus a fine or either one.

2) The offender shall be prosecuted only in agreement with the Fuehrer or with those authorized by him.

Article 5

1) Anyone who manufactures, holds in stock, sells or otherwise brings on the market Party uniforms, parts of Party uniforms, textiles, flags or insignias of the NSDAP, its affiliated agencies or organizations, without the permission of the treasurer of the Reich, shall be punished with imprisonment not to exceed 2 years.

2) Anyone who has in his possession Party uniforms and insignias without being a member of the NSDAP or its affiliated organizations, or without being entitled to possess them for any other reason, shall be punished with imprisonment not to exceed 1 year. Anyone who wears any of the above mentioned items, shall be punished with imprisonment not to exceed 1 month.

3) To be put on a par with Party uniforms, parts of Party uniforms and insignia are those uniforms, parts of uniforms and insignias which can easily be confused with them.

4) The uniforms, parts of uniforms, textiles, flags or insignias in question shall be confiscated. In case no particular person can be prosecuted or condemned, the confiscation shall take place all the same - provided conditions justify it.

5) The confiscated items shall be turned over to the Reich Treasurer of the NSDAP or to those agencies appointed by him, for future use.

6) The prosecution of the offense and the confiscation (#4, section 2) can only be undertaken in agreement with the Fuehrer's Deputy or agencies authorized by him to handle this matter.

Article 6

According to the rules set forth in this law, anyone who has obtained membership of the Party through false pretenses, is not a member of the NSDAP, its affiliated agencies or organizations.

Article 7

The Fuehrer's Deputy, in agreement with the Reich Minister for Justice and of the Interior, shall issue the necessary regulations for the execution and completion of Articles 1 to 6.

Chapter 2

Article 8

1) The regulations set forth in this law, with the exception of Article 5 (1) apply accordingly to the "Reichsluftschutzbund", the "Deutschen Lufrportverband", in agreement with the Reich Minister for Air, and by the Minister of the Interior for the Voluntary Labor Service and the "Technische Nothilfe".

Chapter 3

Article 9

Article 5 (1) will become valid on 1 February 1935. The other rules set forth in this law will become valid one day after their publication; the law on treacherous acts against the Government of the National Revolution from 21 March 1933 (RGBl I, page 135) as well as article 4 of the law on the "Reichsluftfahrtverwaltung" from 15 December 1933 (RGBl I, page 1077) are obsolete.

Berlin, 20 December 1934

The Fuehrer and Reich Chancellor
Adolf Hitler
The Reich Minister for Justice
Dr Guertner
The Fuehrer's Deputy and Minister without portfolio
R. Hess
The Minister of the Interior
Frick
also for the Reich Minister for Air

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1393-PS

9 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1393-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1239 - 0084

TRANSLATION OF DOCUMENT 1395
Office of U.S. Chief of Counsel

H1239 - 0085

1933 Reichsgesetzblatt Page 1016
1 Dec 1933

Law on securing the unity of Party and State
1 Dec. 1933.

Gesetz zur Gicherung der Ginheit von Partei und Staat, Vom 1 Dezember 1933.

1395-PS

The Reichs government has decided on the following law which is announced herewith:

Art 1

1) After the victory of the National Socialistic Revolution, the National Socialistic German Labor Party is the bearer of the concept of the German State and is inseperably the state.
2) It will be a part of the public law. Its organization will be determined by the Fuehrer.

Art 2.

The deputy of the Fuehrer and the Chief of Staff of the SA will become members of the Reichs government in order to insure close cooperation of the offices of the party and SA with the public authorities.

Art.3

The members of the National Socialistic German Labor Party and the SA(including their subordinate organizations.' as the leading and driving force of the National Socialist State will bear greater responsibility toward Fuehrer, people and state.
2) In case they violate these duties, they will be subject to special jurisdiction by party and state.
3) The Fuehrer may extend these regulations in order to include members of other organizations.

Art 4.

Every action or neglect on the part of members of the SA(including their subordinate organizations) attacking or endangering the existence, organization, activity or reputation of the National Socialistic German Labor Party, in particular any i nfraction against dissipline and order, will be regarded as a violation of duty.

Art 5.

Custody and arrest may be inflicted in addition to the usual penalties.

Art 6.

The public authorities have to grant legal and administrative assistance to the offices of the Party and the SA which are entrusted with the execution of the jurisdiction of the Party and SA.

Art. 7

The law regarding the authority to inflict penalties on members of the SA and SS, of the 28 April 1933(RGBI p. 230) will be invalidated.

Art. 8

The Reichs Chancellor, as Fuehrer of the National Socialistic German Labor Party and as the supreme commander of SA will issue the regulation necess ry for the execution and augmentation of this law, particularly with reppect to the organization and procedure

H1239 - 0086

TRANSLATION OF DOCUMENT 1395-PS
Office of U.S. Chief of Counsel
Contd.

of the jurisdiction of the Party and SA. He will determine the time at which the regulations concerning this jurisdiction will be effective.

Berlin 1 Dec. 1933

Reichs Chancellor

Adolf Hitler

The Reichs Minister of the Interior

Frick.

- -

5 October 1945.

I, WILLARD EVANS SKIDMORE, Lt(jg) USNR, 391590 hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1395-PS.

WILLARD EVANS SKIDMORE
Lt(jg) USNR
391590.

H1239 - 0087

TRANSLATION OF DOCUMENT 1396-PS
OFFICE OF U S CHIEF OF COUNSEL

1933 REICHSGESETZBLATT Part I, Page 293

Law concerning the confiscation of Communist property of 26 May 1933

Gesetz ueber die Einziehung kommunistischen Vermoegens vom 26 Mai 1933

In order to prevent for all times property in the service of communist activities to be used subversively to the State, the Reich Government has enacted the following law, which is hereby promulgated.

Section 1

1) The highest provincial authorities (obersten Landesbehoerden) or offices designated by them may confiscate on behalf of the province, assets and interests of the Communist Party of Germany and their welfare and affiliated organizations (Hilfs- und Ersatzorganisationen) and also assets and interests used or destined for the promotion of communistic activities.

2) The Reich Minister of the Interior may request the highest provincial authorities to take measures under (1).

Section 2

Section 1 is not applicable to assets which have been rented or delivered under reservation of ownership rights, unless the lessor or the deliverer intended to promote communistic activity by the surrender of property.

Section 3

Interests in confiscated assets shall become extinct. However, existing rights in land are not affected by the confiscation of real property; the confiscating authorities may declare such right extinct, where the payment of proceeds can be considered as an intention to promote communistic activities.

Section 4

In order to prevent hardships, creditors affected by the confiscation may be satisfied from proceeds of the confiscated assets.

Section 5

Where measures, according to the spirit of Sections 1 and 3 were taken, prior to the effective date of this law, they may be ratified by the authorized office under Section 1, pursuant to the provision of this law.

Section 6

Measures under Sections 1, 3 and 5 become effective upon delivery of the order to the affected party upon the promulgation of the order.

Section 7

No compensation is granted for measures taken under Sections 1, 3 and 5.

H1239 - 0088

Section 8

The Reichs Minister of the Interior is authorized to issue legal and administrative regulations for the administration and enforcement of this law.

Berlin 26 May 1933

The Reich Chancellor
Adolf Hitler
The Reich Minister of the Interior
Frick

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1396-PS

25 September 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1396-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

Document:
1397-PS

REICHSGESETZBLATT Page 175, Art 1-18.
dated 7 April 1933.

1397-PS

H1239-0089

1397-PS

Gesetz zur Wiederherstellung des Berufsbeamtentums Vom 7. April 1933.

Law for the Reestablishment of the Professional Civil Service 7 April 1933.

The Reichsgovernment has enacted the following law, which is hereby proclaimed:

Art. 1.

1. For the reestablishment of a national professional civil service and for the simplification of administration; officials may be discharged from office according to the following regulations, even when the necessary conditions according to the appropriate law do not exist.
2. Officials, as used in this law, means immediate(unmittelbare) and mediate(mittlebare) officials of the Reich, immediate and mediate officials of the federal states(Länder), Officials of communes (Gemeinde) and communal associations, officials of public legal corporations as well as institutions and undertakings placed upon the same status as these public legal corporations(Third decree of the Reichspraesident for the safeguarding of business and finance of 6 October 1931RGBl. I P.537, 3rd part, Chapter V, Section I, Art. 15, subparagraph 1.) The stipulations apply also to employees of agencies supplying social insurance, who have the rights and duties of officials.
3. Officials as used in this law also includes officials in temporary retirement.
4. The Reichsbank and the German State Railway Co. are empowered to make corresponding regulations.

Art. 2.

1. Officials, who since 9 November 1918 have attained the status of officials without possessing the required or usual preparation or other qualifications are to be dismissed from service. Their former salaries will be accorded them for a period of 3 months after thier dismissal.
2. A right to waiting allowances, pensions, or survivors pension and to the continuance of the official designation, the title, the official uniform and the official insignia is not possessed by them.
3. In case of need a pension, revocable at any time, equivalent to a third of the usual base pay of the last position held by them may be granted them, especially when they are caring for dependant relatives; reinsurance according to the provisions of the Reich's social insurance law will not take place.
4. The stipulations of Section 2 and 3 will receive corresponding application in the case of persons of the type designated in Sect. 1, who already before this law became effective had been retired.

Art. 3.

1. Officials, who are of non-aryan descent, are to be retired, insofar as honorary officials are concerned, they are to be removed from official status.
2. Section 1 is not in effect for officials who were already officials since 1 August 1914, or who fought during the World War at the front for the German Reichs or who fought for its allies or whose fathers or sons were killed in the World War. The Reichsminister of the Interior can permit further exceptions in understanding with the appropriate special minister or the highest authorities of the federal states in the case of officials abroad.

Art. 4.

Officials, whose former political activity does not offer a guarantee that they at all times without reservation act in the interest of the national state can be dismissed from service. For a period of 3 months after dismissal they are accorded their former salary. From this time on they recieve 3/4 of their pension and corresponding survivor's benefits.

H1239 - 0090

Translation of Document 1397-PS
Contd.

Art. 5.

1. Every official must allow himself to be transferred to another office of the same or equilavent career, even into such a one having less rank or regular salary--reimbursement for the prescribed costs of transfer taking place, if the needs of the service require it. In case of transferment to an office of lower rank and regular salary the official retains his previous official title and the official income of his former position.
2. The official can, in place of transfer to an office of lesser rank and regular income (section11)demand to be retired.

Art. 6.

For the simplification of administration officials can be retired, even if they are not yet unfit for service. If officials are retired for this reason, their places may not be filled again.

Art. 7.

1. Dismissal from office, transfer to another office and retirement will be ordered by the highest Reichs or federal state agency which will render final decision without right of appeal.
2. The dispositions according to Art 2 to 6 must be made known at the latest by 30 Sept 1933 to those affected. The time can be shortened by agreement with the Reichsminister of the Interior, if the appropriate Reichs or federal state agency declares that the measures authorized in this law have been carried out.

Art. 8.

A pension will not be granted to the officials dismissed or retired in accordance with Art 3 and 4, if they have not completed a term of service of at least 10 years; this applies also in the cases in which according to the existing stipulation a pension is already accorded after a shorter term of service. Articles 36,47 and 49 of the Reichs officials' law, the law of 4 July 1921 on increased computation of time in service accomplished during the war (RGBl p. 825) and the corresponding provisions of federal state laws remained unchanged.

Art. 9

1. In the calcuation of length of service valid for pension purposes, excepting time of service accrued in their last employment, only a term served in the Reichs, Federal State, or communal service according to the existing regulations may be credited to officials dismissed or retired according to Articles 3 and 4. Also accrediting of this length of service is only permissible, if it bears some relationship in preparation or career to the position last held; such a relationship of lower career to a higher one is to be regarded as an orderly promotion. If the official would have obtained a higher pension by the addition of later years of service to time served in an earlier position regularly obtained by qualifications and preparation, the ruling more favorable to him takes precedence.
2. The implementative regulations govern the calculation of time served with public corporations and with institutions and undertakings placed upon the same basis as these public corporations.
3. Accreditation and certification of time served valid for pension purposes, which conflict with the carrying out of the provisions of Section 1, are nullified.
4. In the case of officials of the Reich and of public corporations, institutions, and agencies under the supervision of the Reich, the Reichsminister of the interior in agreement with the Reichsminister of finances can mitigate hardships; the highest federal state authorities can do the same in the case of other officials.
5. Sections 1 to 4 as well as Articl 8 will also be applied to such officials who already, before this law came into effect, were retired either permanently or temporarily and upon whom Articles 2 to 4 would have been applied if the officials had been still in service at the time this law came into effect. The new accrediting of time of service valid in the calculation of pensions and the accrediting of pensions and of waiting allowances must, at the latest, take place on 30 Sept 1933 with effect as of 1 Oct 1933.

H1239 - 0091

Art 10

1. Guiding principles, which are established for the amount of pay for officials will be based upon the calculation of service remunerations and pension. In case decissions by the competent authorities on the applying of the guiding principles do not yet exist, they are to be issued without delay.
2. After decisions by the competent authorities concerning the application of the guiding principle have been made, if officials are found to have recieved higher remunerations, than they are due them according to the decisions, they they have to reimburse the surplus amounts recieved since 1 April 1932 at the pay office where the payments were given out. The argument of no longer existing enrichment(Articles 812vbGB and subs) is excluded.
3. Sub sections 1 and 2 are valid also for persons, who have been retired inside of one year before this law became effective.

Art 11.

1. If, in the accrediting of pay-seniority of officials who leave the service on account of Articles 3 and 4, employment outside of the Reichs, Federal State, or communal service has been calculated, then the pay-seniority is to be newly calculated, Therein only an employment in the Reichs, Federal State, or communal service, or according to the implementative regulations, in the service of public corporations and institutions and undertakings equivalent to the former may be accredited. Exceptions can be permitted by the Reichsminister of the Interior in agreement with the Reichsminister of finance for Reichs officials; for other officials, by the highest federal state authorities
2. If a new accrediting of pay-seniority according to Section 1 comes into consideration, then in the case of officials retired or dismissed according to Articles 3 and 4, the new determination of pay seniority will be carried out in conjunction with the determination of the pension amount.
3. The same is valid for the persons named in Article 9, Section 5.

Art, 12.

1. The salaries of Reichsministers appointed since 9 Nov 1918, which are not calculated according to the provisions of Articles 16 to 24 of the Reichsminister law of 27 March 1930(RGBl. I P.96) are to be newly calculated. In the new calculation, the above-mentioned provisions of the Reichsminister law are to be applied as if they had been already in effect at the time of the Reichsminister's dismissal from office. According to this law, excess payments recieved since 1 April 1933 are to be payed back. The argument of no longer existing enrichment (Article 812 and subs BGB) is inadmissible.
2. Section 1 will receive application upon the members of the federal state government appointed since 9 Nov 1918 with the provision that in place of the Reichsminister law the corresponding provisions of the federal state law ill be in effect; however, payments may only be made to the amount which results from the application of the fundimental principals of Articles 16 to 24 of the Reichsminister law.
3. The new calculatinn of payments must take place before 31 December 1933.
4. Retroactive payments will not take place.

Art. 13.

The survivors payments will be calculated with corresponding application of Articles 8 to 12.

Art 14.

1. Against the officials who have been dismissed or transferred upon the authority of this law, the institution of civil service punishment proceedings on account of misdeameanors committed while in office with the object of cancellation of pension, survivors benefits, designation of office, title, official uniform and insigna.

H1239 - 0092

The institution of the proceedings must take place on 31 December 1933 at the latest.
2. Section 1 is also valid for persons who within one year of the date that this law becomes effective have been retired and upon whom the Articles 2 to 4 would have been applied, it these persons had still been in service when this law came into effect.

Art 15.
The provisions concerning officials will be applied in an appropriate manner to employeesc and workers. The implementative regulations govern detailed application .

Art. 16
If unreasonable hardships occur in the carrying out of this law, then higher payments or transition mongy may be granted in accordance with the general regulations. The decisions in this matter will be made by the Reichsminister of the Interior in agreement with the Reichsminister of Finance in the case of Reichsofficials, in other cases by the highest federal state authorities.

Art. 17
1. The Reichsminister of the interior will issue in agreement with the Reichsminister of Finance, the necessary regulations for the execution and carrying through of this law and the general administrative provisions.
2. If necessary the highest federal state authorities will issue supplementary regulations. In this matter they must confine themselves to the framework of the Reichs regulations.

Art. 18
With the expiration of the periods established in this law, the general provisions valid for the professional civil service will be again completely valid, without prejudice to the measures taken on the basis of this law.

Berlin, 7 April 1933

The Reichschancellor
Adolf Hitler

The Reichsminister of the Interior
Frick

The Reichsminister of Finance
Count Schwerin Von Krosigk

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CERTIFICATE OF TRANSLATION
OF DOCUMENT 1397-PS

I, Willard Evans Skidmore, Lt(jg)USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document Number 1397-PS.

WILLARD EVANS SKIDMORE
LT(jg) USNR
391590

TRANSLATION OF DOCUMENT 1398-PS
OFFICE OF U S CHIEF OF COUNSEL

H1239-0093

1933 REICHSGESETZBLATT, PART I, PAGE 518

Law to Supplement the Law for the Restoration of the Professional Civil Service of 20 July 1933

Gesetz zur Ergänzung des Gesetzes zur Wiederherstellung des Berufsbeamtentums vom 20. Juli 1933

The Reich government has enacted the following law, which is hereby promulgated:

The Law for the Restoration of Civil Service from 7 April 1933 (RGBl I, page 175) is supplemented as follows:

1. The following is added to Article 2:

Article 2a

1) Officials, who have belonged to the communist party or to communistic auxiliary or collateral organizations, or otherwise have been active in furthering the aims of Communism, are to be discharged. Discharge is not necessary for (a) officials, who before 30 January 1933 joined a party or an organization, which has placed itself behind the government of the national revolution, and (b) officials, who have distinguished themselves exceptionally in the national movement.

2) Officials, who in the future are active for Marxism (Communism or Social-Democracy) are to be discharged.

3) The following are the bases on which officials are discharged: Sect. 1, - Sect. 2,- Art. 2, Sect. 1, sentence 2 - Sects. 2 and 3.

Berchtesgaden, 20 July 1933

The Reich Chancellor
Adolf Hitler
For the Minister of the Interior:
The Reich Minister of Finance
Count Schwerin von Krosigk
The Reich Minister of Finance
Count Schwerin von Krosigk

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1398-PS

4 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1398-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

TRANSLATION OF DOCUMENT 1403-PS
OFFICE OF U S CHIEF OF COUNSEL

H1239 - 0094

1937 REICHSGESETZBLATT, PART I, PAGE 1333

Law on the Granting of Indemnities in Case of Confiscation or Transfer of Property
9 December 1937

Gesetz über die Gewährung von Entschädigungen bei der Einziehung oder dem Übergang von Vermögen
vom 9. Dezember 1937

The Reich government has decided to proclaim the following law:

Chapter 1
Property of Communists, Enemies of the People and the State

Article 1

If objects and rights have been seized in favor of a state on the basis of the law on the confiscation of communist property of 26 May 33 (RGBl I, page 293) or of the law on the confiscation of property of enemies of the people and the state of 14 July 1933 (RGBl I, page 479) before the law became effective, the state shall not be responsible for the claims which have arisen against the former owner of the seized property or rights.

Article 2

1) Rights, which are still existing at the time this law becomes effective and apply to confiscated objects, are deemed expired with the seizure. The same is true in the case of guarantees on property which has been confiscated.

2) Section 1 is not being applied if the seized objects have already been sold by the state before this law became effective.

Article 3

1) Corporations are not responsible for liabilities from the time before the confiscation, if all the shares have been transferred by confiscation to the property of a state, unless the liabilities were recovered by the sequestration decreed for the preparation of the seizure.

2) The existing rights of third persons in the property of such corporations will be considered as expired.

Article 4

Legal personalities, corporations, or legally incompetent associations, whose property has been confiscated, are considered as dissolved by the seizure. A liquidation does not take place.

Article 5

Claims against the owners of property mentioned in Article 4 shall be deemed expired through confiscation of the property. The same applies to individual members or partners of associations. The affidavits and other liabilities existing in order to insure the safeguarding and guarantees of such claims are also deemed expired.

Article 6

1) If someone suffered financial loss through sequestration or seizure of objects and rights on account of the laws mentioned in Article 1, or through their effect, an indemnification from the means of the state in whose favor the confiscation or seizure took place, can be granted. In the sense of this regulation, no one has suffered loss who was affected by the sequestration or seizure directly.

2) A person shall not be granted compensation on the basis and with the acquisition of this right, which expired with this law, if he has intentionally or carelessly promoted:

1. Communist aspirations.
2. Marxist or other movements which have been declared as hostile to the people and state by the minister of the interior.

It is not an intentional promotion of aspirations as designated in No 2, if the victim stood under the control or direction of the state.

3) An indemnification can also be granted in the cases of (2) No 2, i.e. if the victim is needy in the sense of Article 13(2) or if the predominant viewpoints of the public interest speak for the granting of indemnification.

Article 7

1) Indemnification will only be granted if the victim makes a petition before 31 March 1938.

2) The petition has to be sent in writing to the competent authority (Article 9), with reference to the cause of the offense.

Article 8

1) The determination of the idemnification takes place in a determination procedure and before determining authorities.

2) The Reich Minister of the Interior can decree that no determining procedures shall take place for certain properties or in certain districts. If such a regulation is issued by the Reich Minister of the Interior, the regulations of this section with the exception of Articles 1, 4 and 5 are not to be applied for the property of the district.

Article 9

1) The determining authority in Prussia and Bavaria is the president of the government (in Berlin the police president), in Saxony the Kreishauptmann, and in the other states the highest authority of the state.

2) The Reich Minister of the Interior may decide that a common determining authority will be formed for several administrative districts.

Article 10

1) The determining authority for the district in which the sequestered or seized property, whose indemnification has been proposed, used to be, is locally responsible.

2) The highest authority of the state or the Reich Minister of the Interior appoints the determining authority, if the property was located in the district of several determining authorities and if several determining authorities of the same state are involved.

3) The Reich Minister of the Interior is entitled to appoint exclusively one or more determining authorities for certain kinds of confiscated or seized objects and rights.

Article 11

1) The petition to grant indemnification shall be refused, if it has not been made within the time determined in Article 7, section 1. The determining authority is obliged to admit the petition, if the victim proves that he himself or his legal representative or his proxy failed to make the petition within the appointed period through no fault of their own and inasmuch as it will be repeated within two months after clearing the obstacle. Petitions cannot be made any more after 31 March 1939.

2) If the petition to grant indemnification is received by a determining authority, which is locally not responsible (Article 10), it will fall within the appointed time.

H1239 - 0096

Article 12

1) The total amount of indemnifications, which shall be granted because of sequestration or seizure of property of a certain owner of property, is limited by the extent of this property. Each economic unit will be considered property in the sense of the first sentence, if the confiscated property of a person includes several economic units of the kind designated in Article 2 of the Reichsbewertungsgesetz (Law for the evaluation of property) of 16 Oct 1934 (RGBl I, page 1035). For the classification according to economic units, a determined purpose in the period before the confiscation is of no importance.

2) In order to estimate the extent of property according to Section 1, its selling value is decisive.

Article 13

1) In determining the indemnifications, the creditors should be treated in the succession as is provided for their satisfaction in the bankruptcy order.

2) This principle is to be disregarded, if reasons of fairness require to do so; particularly those victims are to get privileged treatment whose livelihood or economic progress is endangered or require an indemnification in order to fulfill their duties of livelihood on the basis of the law.

Article 14

1) The determining authority fixes the amount of money to be paid as indemnification. It can determine installments and the time of payments. Inasmuch as there is no other clause in the decision of the determining authority, the amount of money is payable to him within one month after the decision has been delivered to the victim.

2) The determining authority may rule that an indemnification will be effected by Reich or state-owned mortgage-deeds or by transferring an object, or that claim of indemnification due to the victim on account of the decision of the determining authority will be secured by arranging a lien on land.

3) The state can propose, until the decision of the determining authority has been relayed to the victim that, in the amount of the indemnification which is being granted for an expired lien on land (Article 2, 6), a new lien on land will be entered into the land-register in its place. The determining authority has to respect such a move except in the case that this would be particularly unfair toward the victim. The new lien on land has to be entered into the land-register under the same conditions as the expired one insofar as the determining authority does not issue different instructions; the rate of interest may be reduced by the determining authority to five percent.

Article 15

1) The victim is entitled to appeal to the determining authority of the Reich against the decision of the determining authority. (Article 16)

2) The appeal must be delivered in writing to the determining authority or to the determining authority of the Reich, within two weeks after the decision has been forwarded and it must be substantiated. Article 11, Section 1 will be applied respectively.

3) The determining authority may submit its decision to the determining authority of the Reich for scrutiny. Its presentation to the determining authority of the Reich has the effect of an appeal.

Article 16

1) The determining authority of the Reich will be linked to the Reich Minister of the Interior.

2) The determining authority of the Reich consists of chambers. Each chamber is composed of five members including the chairman, three of whom must have the ability to perform the functions of the judge or of higher

administrative offices, two members will be suggested by the Deputy of the Fuehrer.

3) The chairman and the members will be appointed by the Reich Minister of the Interior.

Article 17

1) The decisions of the determining authorities are to be delivered to the victim.

2) The decision of the determining authority of the Reich is final.

Chapter 2

Property forfeited to the Reich

Article 18

If the property of a person deprived of his citizenship (law on the recall of naturalizations and the deprivation of the German citizenship of 14 July 1933 - RGBl I, page 480) has been confiscated, or has been declared forfeited to the Reich, previous to this law, the Reich is not responsible for claims against the person deprived of his citizenship.

Article 19

1) Rights on objects of such properties, which have been declared as forfeited to the Reich, are deemed expired with the declaration of forfeiture. The same applies to objects on which property rights have been secured.

2) Section 1 will not be applied, if the objects have already been sold by the Reich before effectiveness of this law.

Article 20

If someone has suffered a loss of property through sequestration or the declaration of forfeiture (Article 18) or through the effect of this law, he may be granted an indemnification from the funds of the Reich. The victim in the sense of this regulation is not he who was directly affected by the sequestration or declaration of forfeiture.

Article 21

The regulations of Articles 6 to 17 will be applied respectively according to Articles 22 and 23.

Article 22

The determining authority of the Reich will decide on the petition.

Article 23

An indemnification will also not be granted (Article 6(2)), if the victim has knowingly supported the person deprived of his citizenship in hurting German interests.

Chapter 3

Property of Former Associations of Employers and Employees

Article 24

1) The property administration of the DAF (German labor front), Ltd., Berlin (hereafter called "property administration of the German labor front") as trustee of the German labor front, will be put in possession of the former associations of employers and employees including the auxiliary and replacement organizations, property administrations, pension disbursing agencies and other special properties, upon entrance into effect of this law.

2) In the case that only former associations of employers and employees have interests in a legal personality, the property administration of the German labor front will be put in possession of both the shares of property of the former associations of employees and employers and the property of the legal personality. However, if the legal personality represents a corporation, a limited liability corporation, or company, the property administration of the German labor front will only be put in possession of the shares or business shares; the company continues its existence with rights and obligations. Sentence 2 is not effective if the exclusive purpose of the company was the administration of houses of labor unions or if a property administration or trustee company of a former association of employers and employees is involved, the property of which will be put in possession of the property administration of the German labor front as provided in (1). The property administration of the German labor front (DAF) will in these cases take possession of both the shares and business shares, and also of the property of the company.

3) Inasmuch as the property of a former association of employers and employees has already been disposed of through an orderly liquidation or agreement, it will be left as it is. Pending liquidations and settlements will not be continued.

4) The Reich Minister of the Interior will announce, in agreement with the Deputy of the Fuehrer, the Reich Minister of Economy and the Reich Minister for Labor, the owners of property, possession of which has been transferred to the property administration of the German labor front according to (1), (2) first sentence and (2) third sentence. These regulations will be announced in the Deutscher Reichsanzeiger and Preussischer Staatsanzeiger (official publications) until the 30 June 1938. They are binding for courts and administrative authorities.

5) The owners of property to be made public as provided in (4), are, inasmuch as they represent legal personalities or collective personalities, dissolved with the effectiveness of this law. A liquidation does not take place.

6) The leader of the German labor front Dr LEY will be the guardian entitled to dispose of the properties confiscated by the general public prosecutor of the Country Court I Berlin from the time of confiscation of the properties up to the effectiveness of this law and will be verified with the authority to take action compatible with the purpose of the sequestration and according to his judgment conformable to duty; in particular to give and receive declarations of will for the owners of the confiscated property.

Article 25

1) The German labor front and the property administration are responsible for claims against those owners of property, which has been transferred to the latter, only in the case, if the claims arose after a day which the Reich Minister of the Interior will determine in cooperation with the Deputy of the Fuehrer, the Reich Minister of Economy and the Reich Minister for Labor at the announcement of the owners of property (Article 24(4).

2) The German labor front and the property administration of the German labor front are responsible for claims resulting from service or work status with the owners of property mentioned in Article 24 or the German labor front only, if the service or work status has been extended by the German labor front beyond the 30 Sept 1933.

Article 26

1) Rights on objects, which the property administration of the German labor front acquires according to Article 24, are expiring. The same applies to property rights secured in such objects.

2) Section (1) will not be applied, if the objects have been already liquidated at the effectiveness of this law or if the rights or the secured property have been established after the day to be determined according to Article 25 (1).

H1239 - 0098

H1239 - 0099

Article 27

If the victim suffered a loss in property on account of the regulations of Articles 25 and 26, he can be granted an indemnification from the funds of the German labor front and the property administration of the German labor front.

Article 28

The regulations of Articles 5 to 17 will be applied on the basis of Articles 29 and 30 respectively.

Article 29

The petition to grant an indemnification has to be made in writing by 30 Sept 38 to the determining authority (Article 30) by stating the cause of the offense.

Article 30

1) The determining authority of the Reich will decide on the motion (Article 16). The chambers will judge the case in a composition of three members including the chairman of whom one member will be suggested by the Deputy of the Fuehrer, another one by the Reich Minister of Economy in conjunction with the Reich Minister for Labor. The chairman and the members will be appointed by the Reich Minister of the Interior.

2) Before the decision a representative to be named by the German labor front has to be heard.

Article 31

Inasmuch as economic associations of employers and their institutions have been incorporated or joined or dissolved within the framework of the legislation on the preliminary erection of the Reich food estate, the regulations of this part will not be applied.

Chapter 4

Final Regulations

Article 32

1) Indemnification will not be granted on the basis of other laws in those cases affected by this law. Existing claims expire.

2) If a party proves by litigation that the pending claim comes under this law, the court has to discontinue the procedure and to defer temporarily the distraint resulting from an executory decision already enacted. The court may also issue these regulations under the authority of the law if it views the pending claim as falling under this law. In both cases the court has to inform the proper determining authority by presenting the records. The rules of the court cannot be contested.

3) The determining authority may admit the further prosecution of the claim by regular legal steps or present the records to the determining authority of the Reich for a decision.

4) If the determining authority or the determining authority of the Reich permits the further prosecution of the claim by regular legal steps, the court has to lift on request the regulation on the discontinuance of the legal dispute or the temporary suspension of the distraint.

5) The decision of the determining authority of the Reich to deal with the claim in a determining procedure does not permit its further prosecution by legal steps and the distraint of the claim.

Article 33

If there exists already an executory title on claims which are affected by this law, the regulations of Article 32 will be applied respectively.

H1239 - 0100

Article 34

Inasmuch as a legal dispute is being settled by this law, the court costs will be cancelled and the extrajudicial costs balanced against each other.

Article 35

1) The granting of an indemnification by arbitration will not be excluded by the regulations of this law. The determining authority has to verify the agreement.

2) If an agreement on the claims and rights affected by this law had already been concluded at the time this law became effective, it will be left as it is.

Article 36

1) If the Reich or a state has transferred confiscated properties as a whole or in part to another natural or legal personality, the determining authority may impose upon the one who takes possession of the property, the duty to give total or partial indemnification to the entitled persons. In case the Reich or a state will be declared liable of indemnification, it must at the same time be determined whether and in what amount the one who takes possession has to pay compensation to the Reich or State. The person taking possession of the property has the right to appeal against the decision of the determining authority to the determining authority of the Reich.

2) Resulting from the valid decisions of the determining authorities, by which according to (1) obligations will be imposed on the one who takes possession, the distraint will be executed.

Article 37

The decisions of the determining authorities are binding for the regular courts and other places of judgment.

Article 38

Articles 3, 4 and 7 of the law on the confiscation of communist property of 26 May 1933 (RGBl I, p. 293) are no longer valid.

Article 39

1) If objects and rights are seized on the basis of the laws designated in Article 1, the State is responsible for claims against the former owner of the confiscated objects only with the rights and objects fallen to it by the confiscation. Rights on objects of seized property continue to exist.

2) In case of excessive debts, bankruptcy proceedings against the property will be enacted through motion of a state or creditor, according to regulations. The referee in bankruptcy has to be appointed in agreement with the central administration board responsible for the district of the bankruptcy court and has to be recalled on its request.

3) The same applies if the property of a person deprived of citizenship (Article 18) has been declared to fall to the Reich after this law had become effective.

Article 40

The Reich Minister of the Interior will be authorized to issue in agreement with the other responsible ministers the legal and administrative instructions required in order to execute and supplement this law.

Berlin, 9 December 1937

H1239-0101

The Fuehrer and Chancellor of the Reich
Adolf Hitler
The Reich Minister of the Interior
Frick
The Deputy of the Fuehrer
R. Hess
(Reich Minister without Portfolio)
The Reich Minister of Finance
Count Schwerin von Krosigk
The Reich Minister of Economy
authorized to manage affairs:
Goering
(Prussian Premier)
The Reich Minister for Labor
Franz Seldte
The Reich Minister for Justice
Dr Guertner

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1403-PS

10 October 1945

I, WILLARD EVANS SKIDMORE, Lt (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1403-PS.

WILLARD EVANS SKIDMORE
Lt (jg) USNR
391590

TRANSLATION OF DOCUMENT 1409-PS
OFFICE OF U S CHIEF OF COUNSEL

H1239-0102

1938 REICHSGESETZBLATT, PART I, PAGE 1709

Order concerning the Utilization of Jewish Property of 3 December 1938

Verordnung über den Einsatz des judischen Vermögens vom 3. Dezember 1938

On the basis of Article 1 of the Second Regulation by the Administrator for the Four Year Plan based on the Decree of November 24, 1938 for the Reporting of Jewish-owned Property (RGBl. I 1668), the following is decreed in cooperation with the competent Reich Ministers:

Chapter 1

Industrial Enterprises

Article 1

The owner of a Jewish industrial enterprise (Third Regulation under the Reich Citizenship Law of 14 June 1938, RGBl I 627) may be ordered to sell or liquidate the enterprise within a definite time. Certain conditions may be stipulated in the order.

Article 2

1) A trustee may be appointed for Jewish industrial enterprises, the owners of which have been ordered to sell or liquidate (Article 1), for the temporary continuation of the enterprise and for the completion of the sale or liquidation, especially if the owner of the enterprise has not complied with the order within the definite period and his application for an extension of time has been rejected.

2) The trustee is empowered to undertake all judicial and extrajudicial actions and legal measures, which the business of the enterprise, its liquidation or sale require. His authority replaces any legally required power of attorney.

3) The trustee must exercise the care of a responsible businessman and is subject to State control.

4) The owner of the enterprise is to pay the expenses of the trustee in connection with his work.

Article 3

1) The owner of the Jewish industrial enterprise is to be notified of the instructions specified in Articles 1 and 2.

2) In case of absence of the person affected, notification may take place through publication in the Deutsche Reichsanzeiger and Preussische Staatsanzeiger. In these cases the day of publication is to be considered the day of notification.

Article 4

As soon as the owner of the enterprise is notified of the order through which a trustee is appointed according to Article 2, he loses the right to dispose of the property for the administration of which the trustee has been appointed. He regains this right only if the appointment of the trustee expires.

Article 5

The consent for the sale according to Article 1 of the Decree based on the Decree of April 26, 1938, for the Reporting of Jewish-owned Property (RGBl I, 415) is necessary also in such cases in which the sale has been ordered; this also applies to the sale by a trustee.

H1239-0103

Chapter II

Land and Forest Enterprises
Real Estate and other Property

Article 6

A Jew (Article 5 of the First Regulation under the Reich Citizenship Law of November 14, 1935)(RGBl I, 1333), may be ordered to sell wholly or partly his land or forest enterprise, his other land or forest properties, his other real estate or other properties within a definite time. Certain conditions may be stipulated in the order. The regulations of Article 2 to 4 are to be applied accordingly.

Article 7

1) Jews cannot legally acquire real estate and mortgages.

2) The regulations of Article 2, 4, 5 and 6 of the Decrees based on the Decree of 26 April 1938, for the Reporting of Jewish-owned Property (RGBl I, 415) are to be applied accordingly.

3) At the foreclosure of real estate, the court ordering such sale must reject bids if there is reason to suspect that the bidder is a Jew.

4) The rejection according to Paragraph 3 loses its force if the bidder protests against it immediately (Article 72, Paragraph 2 of the Law Regarding Foreclosure) and if he proves that he is not a Jew.

5) If, as is provided in (4) the bidder protests the rejection of an offer, the decision on the public adjudication must not be made before two weeks after the conclusion of the auction.

Article 8

1) Jews require authorization to dispose of real estate and mortgages. They require authorization to dispose of other property if the sale has been ordered according to Section 6 of this decree. This also applies in the case of a trustee disposing of said property.

2) The regulations of (1) also apply to contracts in which an obligation to sell is assumed.

3) The regulations of Article 1 (2) and Article 2 of the Regulation under the Decree of 26 April 1938 for the Reporting of Jewish-owned Property (RGBl. I, 415) are to be applied accordingly. In disposing of immovable property, the regulations of Articles 4, 5 and 6 of said Decree are also to be applied accordingly.

4) In case of foreclosure of a piece of land, the bidder requires authorization for his bid; a bid for which the necessary authorization is not proven immediately is to be rejected. Where the Reich Law regarding Foreclosure and Forced Administration is in force, in cases of Article 81, (2) of said law, public adjudication to a person other than the highest bidder is permissible only if the person can prove that consent was given for this deal.

Article 9

1) The authorization according to Article 8 replaces those authorizations required according to the Regulation regarding Traffic in Real Estate of 26 January 1937 (RGBl I, 35), the Settlements (RGBl I, 659), the First Decree for the Execution of the Law of 17 August 1937, Regarding the Protection of the Reich Frontiers and Reprisals (RGBl I, 905) as well as according to price fixing regulations.

2) At the sale of land or forest enterprises or the granting of usufruct in such enterprises, the authorization according to Article 8 replaces the authorization according to Article 1 of the decree based on the Decree of 26 April 1938 for the Reporting of Jewish-owned Property.

H1239-0104

Article 10

1) If a Jew sells a piece of land which is situated within the confines of Berlin, the Reich Capital Berlin has a right of preemption for the purpose of carrying out the measures of the General Building Inspector for the rebuilding of the City.

2) Articles 12 and 13 of the Decree of 5 November 1937 Regarding the Reconstruction of the Reich Capital Berlin (RGBl I, 1162) are to be applied accordingly.

3) The right of preemption does not exist if the Reich, one of the German States, or the National Socialist Party is involved in the legal transaction as a buyer.

Chapter III

Compulsory Deposit of Securities

Article 11

1) Within a week after this decree goes into effect, Jews must deposit all their stocks, shares in mines, bonds, and similar securities at a foreign exchange bank. New securities must be deposited within a week after their acquisition. The holder of securities belonging to a Jew may not deliver them to anyone but a foreign exchange bank for the account of the Jew.

2) Insofar as securities are already deposited at a foreign exchange bank on behalf of Jews or titles registered or coupons deposited with an administrative authority for which preferred annuities will be granted, the Jews must immediately notify the said bank, the Administration of Public Loans or the administrative authority by a written declaration of the fact that they are Jews. In case of (1) Sentence 3, this declaration must be made to the said holder.

3) The deposits and the registered titles are to be marked as Jewish.

Article 12

The disposing of securities deposited as Jewish, as well as the release of such securities require the consent of the Reich Minister of Economics or an authority named by him.

Article 13

The provisions of Articles 11 and 12 do not apply to foreign Jews.

Chapter IV

Jewels, Gems and Objects of Art

Article 14

1) Jews are forbidden to acquire, pawn or sell objects of gold, platinum or silver as well as precious stones and pearls. Such objects, except in the case of existence of attachments on behalf of a non-Jewish creditor at the time when this decree goes into effect may only be acquired by public purchasing offices, established by the Reich. The same applies to other jewels and objects of art insofar as the price of the individual objects exceeds one thousand Reichsmarks.

2) The provisions of (1) does not apply to foreign Jews.

Chapter V

General Regulations

Article 15

1) The authorization for the sale of Jewish enterprises, Jewish real estate, or other Jewish property can be given under conditions that may consist in the payment of money by the buyer on behalf of the Reich.

2) Authorizations of the kind mentioned in Paragraph 1 may also be granted with the proviso that the Jewish seller is to receive obligations of the German Reich or registered titles against the German Reich instead of the total or partial consideration as provided for in the sales contract.

Article 16

The regulations specified for Jews in Article II also apply to industrial enterprises as well as organizations, foundations, institutions, and other enterprises which are not industrial, insofar as they are to be considered Jewish according to the Third Regulation under the Reich Citizenship Law of 14 June 1938 (RGBl I, 627).

Article 17

1) The higher administrative authorities are qualified to issue instructions based on the regulations of Article I and II insofar as the special provisions of Paragraphs 3 and 4 (Note of translator: "and 4" lined out in original) are not to be applied. The higher administrative authorities are also to supervise the appointed trustees.

2) Section 6 of the Decree of 26 April 1938 determines which authorities are higher administrative authorities within the meaning of this Decree Regarding the Registration of Jewish Property (Reichsgesetzblatt I, p. 414) with the proviso that the following authorities are qualified:

In Anhalt - the Anhalt State Ministry, Department of Economics;

In Baden - the Baden Minister of Finance and Economics;

In Wuerttemberg - the Wuerttemberg Minister of Economics;

In Austria - the Reich Commissar for the Reunion of Austria with the German Reich or the authorities named by him;

In the Sudeten German territories - the Government Presidents.

3) Insofar as it is a question of agricultural property, the Oberpraesident in Prussia (Agricultural Department) and the Higher Settlement Authorities in the non-Prussian States take the place of the higher administrative authorities. Insofar as it is a question of forest property, the Higher Forest Authorities take the place of the higher administrative authorities.

/ Articles 18 to 23 are not necessary for understanding of law /

Article 24

This decree goes into effect on the day of publication.

Berlin, 3 December 1938

Reich Minister of Economic Affairs
Walther Funk
Reich Minister of Interior
Frick

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1409-PS

1 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1409-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

TRANSLATION OF DOCUMENT 1416-PS
OFFICE OF U S CHIEF OF COUNSEL

1935 REICHSGESETZBLATT, PART 1, PAGE 1146

The Reich Citizenship Law

of 15 Sept 1935

Reichsburgergesetz

vom 15 Sept 1935

The Reichstag has adopted unanimously, the following law, which is herewith promulgated.

Article 1

1) A subject of the State is a person, who belongs to the protective union of the German Reich, and who, therefore, has particular obligations towards the Reich.

2) The status of the subject is acquired in accordance with the provisions of the Reich- and State Law of Citizenship.

Article 2

1) A citizen of the Reich is only that subject, who is of German- or kindred blood and who, through his conduct, shows that he is both desirous and fit to serve faithfully the German people and Reich.

2) The right to citizenship is acquired by the granting of Reich citizenship papers.

3) Only the citizen of the Reich enjoys full political rights in accordance with the provision of the laws.

Article 3

The Reich Minister of the Interior in conjunction with the Deputy of the Fuehrer will issue the necessary legal and administrative decrees for the carrying out and supplementing of this law.

Nuernberg, 15 Sept 1935
at the Reichsparteitag of Liberty

The Fuehrer and Reichs Chancellor
Adolf Hitler
The Reichs Minister of the Interior
Frick

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1416-PS

27 September 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1416-PS.

FRED NIEBERGALL
2nd Lt Inf

TRANSLATION OF DOCUMENT 1417-PS
OFFICE OF U S CHIEF OF COUNSEL

1935 REICHSGESETZBLATT, PART 1, PAGE 1333

First Regulation to the Reichs Citizenship Law
of 14 Nov. 1935

Erste Verordnung zum Reichsbürgergesetz
vom 14. Nov. 1935

On the basis of Article 3, Reichs Citizenship Law, of 15 Sept. 1935 (R.G.Bl I, page 1146) the following is ordered:

Article 1

(1) Until further issue of regulations regarding citizenship papers, all subjects of German or kindred blood, who possessed the right to vote in the Reichstag elections, at the time the Citizenship Law came into effect, shall, for the time being, possess the rights of Reich citizens. The same shall be true of those whom the Reich Minister of the Interior, in conjunction with the Deputy of the Fuehrer, has given the preliminary citizenship.

(2) The Reich Minister of the Interior, in conjunction with the Deputy of the Fuehrer, can withdraw the preliminary citizenship.

Article 2

(1) The regulations in Article 1 are also valid for Reichs subjects of mixed, Jewish blood.

(2) An individual of mixed Jewish blood, is one who descended from one or two grandparents who were racially full Jews, insofar as does not count as a Jew according to Article 5, paragraph 2. One grandparent shall be considered as full-blooded Jew if he or she belonged to the Jewish religious community.

Article 3

Only the Reich citizen, as bearer of full political rights, exercises the right to vote in political affairs, and can hold a public office. The Reich Minister of the Interior, or any agency empowered by him, can make exceptions during the transition period, with regard to occupying public offices. The affairs of religious organizations will not be touched upon.

Article 4

(1) A Jew cannot be a citizen of the Reich. He has no right to vote in political affairs, he cannot occupy a public office.

(2) Jewish officials will retire as of 31 December 1935. If these officials served at the front in the World War, either for Germany or her allies, they will receive, in full, until they reach the age limit, the pension to which they were entitled according to last received wages; they will, however, not advance in seniority. After reaching the age limit, their pension will be calculated anew, according to the last received salary, on the basis of which their pension was computed.

(3) The affairs of religious organizations will not be touched upon.

(4) The conditions of service of teachers in Jewish public schools remain unchanged, until new regulations of the Jewish school systems are issued.

Article 5

(1) A Jew is anyone who descended from at least three grandparents who were racially full Jews. Article 2, par. 2, second sentence will apply.

(2) A Jew is also one who descended from two full Jewish parents, if:

(a) he belonged to the Jewish religious community at the time this law was issued, or who joined the community later.
(b) he was married to a Jewish person, at the time the law was issued, or married one subsequently.
(c) he is the offspring from a marriage with a Jew, in the sense of Section 1, which was contracted after the Law for the protection of German blood and German honor became effective (RGBl. I, page 1146 of 15 Sept 1935).
(d) he is the offspring of an extramarital relationship, with a Jew, according to Section 1, and will be born out of wedlock after July 31, 1936.

Article 6

(1) As far as demands are concerned for the pureness of blood as laid down in Reichs law or in orders of the N.S.D.A.P. and its echelons - not covered in Article 5 - they will not be touched upon.

(2) Any other demands on pureness of blood, not covered in Article 5, can only be made with permission from the Reich Minister of the Interior and the Deputy of the Fuehrer. If any such demands have been made, they will be void as of 1 Jan 1936, if they have not been requested from the Reich Minister of the Interior in agreement with the Deputy of the Fuehrer. These requests must be made from the Reich Minister of the Interior.

Article 7

The Fuehrer and Reichs Chancellor can grant exemptions from the regulations laid down in the law.

Berlin, 14 November 1935

The Fuehrer and Reichs Chancellor
Adolf Hitler
The Reich Minister of the Interior
Frick
The Deputy of the Fuehrer
R. Hess
- Reich Minister without Portfolio -

- - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1417-PS

28 September 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1417-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1239-0109

TRANSLATION OF DOCUMENT 1422-PS
OFFICE OF U S CHIEF OF COUNSEL

1943 REICHSGESETZBLATT, PART I, PAGE 372

Thirteenth Regulation under the Reich Citizenship Law
of 1 July 1943

Dreizehnte Verordnung zum Reichsbürgergesetz
vom 1. Juli 1943

Under Article 3 of the Reich Citizenship Law of September 15, 1935 (RGBl I 1146) the following is ordered:

Article 1

1) Criminal actions committed by Jews shall be punished by the police.

2) The provision of the Polish penal laws of 4 December 1941 (RGBl I 759) shall no longer apply to Jews.

Article 2

1) The property of a Jew shall be confiscated by the Reich after his death.

2) The Reich may, however, grant compensation to the non-Jewish legal heirs and persons entitled to sustenance who have their domicile in Germany.

3) This compensation may be granted in the form of a lump sum, not to exceed the ceiling price of the property which has passed into possession (Verfügungsgewalt) of the German Reich.

4) Compensation may be granted by the transfer of titles and assets from the confiscated property. No costs shall be imposed for the legal processes necessary for such transfer.

Article 3

The Reich Minister of the Interior with the concurrence of the participating higher authorities of the Reich shall issue the legal and administrative provisions for the administration and enforcement of this regulation. In doing so he shall determine to what extent the provisions shall apply to Jewish nationals of foreign countries.

Article 4

This regulation shall take effect on the seventh day of its promulgation. In the Protectorate Bohemia and Moravia it shall apply where German administration and German courts have jurisdiction; Article 2 shall also apply to Jews who are citizens of the Protectorate.

Berlin, 1 July 1943

The Reich Minister of the Interior
Frick
Chief of the Party Chancellery
M. Bormann
Reich Minister of Finance
Count Schwerin von Krosigk
Reich Minister of Justice
Dr. Thierack

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1422-PS

4 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1422-PS.

FRED NIEBERGALL

TRANSLATION OF DOCUMENT 1437-PS
OFFICE OF U S CHIEF OF COUNSEL

1938 REICHSGESETZBLATT, PART I, PAGE 262

Second Order

supplementary to the law concerning the Re-uniting of Austria with the German Reich

Dated 18th. March 1938

Zweite Verordnung

zum Gesetz über die Wiedervereinigung Osterreichs mit dem Deutschen Reich

Vom 18 März 1938

1437-PS

The following order is issued by virtue of Article III of the law concerning the re-uniting of Austria with the German Reich, dated 13th. March 1938 (Reich Law Gazette I Page 237).

Article 1.

The Reichsführer SS and Chief of German Police in the Reich Ministry of the Interior can take measures necessary for the maintenance of security and order, even beyond the legal limits otherwise set on such measures.

Article 2.

The Reichsführer SS and Chief of German Police in the Reich Ministry of the Interior can delegate his powers to other departments.

Article 3.

The order comes into force on the date of publication.

Berlin, March 18th. 1938.

The Reich Minister of the Interior

Frick

- - - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1437-PS.

25 October 1945.

I, ESME SHERRIFF, 2nd. Officer, W.R.N.S., 36482, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document, No. 1437-PS.

ESME SHERRIFF
2nd Officer,
W.R.N.S.
36482

TRANSLATION OF DOCUMENT 1482-PS
OFFICE OF U. S. CHIEF OF COUNSEL

Berlin, 20 July 1935

The Reich and Prussian
Minister of the Interior

III P 3701/5

Secret
Special Delivery Letter!

(Stamp)
The Reich Governor in Bavaria
22 July 1935 -- one enclosure
Sign: Fi 6 July 22
(apparently signature,
illegible)

SUBJECT: Confessional youth organizations

A direct endangering of public security and order has resulted from the recently observed intensive activity of confessional, particularly Catholic youth organizations, which have in numerous cases considerably overstepped the limits imposed on them by political development and therefore in many places led to clashes with the organizations which stand behind the government, particularly the Hitler youth.

I therefore respectfully request that, on the basis of paragraph 1 of the decree of 28 February 1933, the confessional youth organizations be forbidden to wear uniforms or uniform-like clothing and to assemble publicly with pennants and flags and that the wearing of insignia and the wearing of uniform costume as a substitute for uniforms as well a s any outdoor sport activity be prohibited.

I respectfully request that I be immediately informed of your disposition (of the matter).

signed: Dr. FRICK (typed)
certified: (signature illegible,
begins with F) ministerial
chancellery secretary
(stamp:) settled 1 August

To
the provincial governments
(for Prussia: to the deputy
chief and inspector of the Prussian secret state police)
(signature illegible)
Munich M

copies

to
Reich minister Kerrl
Reich minister for Science, Education, and Public Training
and the Reich governors with a request for cognizance.

- - - - - - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1482-PS

1 November 1945

I, FRED NIEBERGALL, 2nd Lt. Inf. O-133 55 67, Hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of Document No. 1482-PS.

FRED NIEBERGALL
2nd Lt. Inf.
O-133 55 67

H1239-0112

TRANSLATION OF DOCUMENT NO.1498-PS
OFFICE OF U.S. CHIEF OF COUNSEL

The Reich and Prussian Minister
of the Interior
VI 7770/3014

Berlin NW 40, 6 Nov 1934
Koenigsplatz 6
(telephone numbers, cable address)

(Stamp)
Reich Governor of Bavaria
7 Nov 1934 _____ enclosures
GG 1/7.m.

SPECIAL DELIVERY LETTER

To
The State Governments
(for Prussia: a) The Prime Minister
- office of Secret State Police -
b) The Minister of Science, Art and Public Education
c) The provincial Presidents and District Presidents.

For Information

to The State Secretary and Head of the Praesidium Chancellery.
The State Secretary and Head of the Reich Chancellery.
The Minister of Popular Enlightenment and Propaganda.
Reich Governors (of the States).
Executive Board of the NSDAP, Division for the Cultural peace in Berlin.
The Reich Bishop in Berlin-Charlottenburg.

Subject: Evangelical Church Controversy.

Lately there is an increase in cases in which ill-timed reports regarding the Evangelical Church reach the public. I therefore forbid - till further notice --all publications in the daily newspapers, in pamphlets or handbills, which are concerned with questions of the Evangelical Church, except only official announcements of the Church Government of the Reich. My edicts of 17 August 1934 -- III 3033/3014 - and of 1 November 1934 -- III 7570/3014 - are to that extent abrogated.

(signed) FRICK

- -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1498-PS

2 November 1945

I, FRED NIEBERGALL, 2nd Lt. Inf 0-133 55 67 hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 1498-PS.

FRED NIEBERGALL
2nd Lt. Inf.
0-133 55 67

TRANSLATION OF DOCUMENT 1551-PS
OFFICE OF U S CHIEF OF COUNSEL

1936 REICHS MINISTERIALBLATT i.V. PAGE 946, 947, 948

Assignment and Channels of the Chief of German Police
within the Ministry of the Interior
of 26 June 1936

Geschäftsverteilung und Geschäftsverkehr d. Chefs der
Deutschen Polizei im Reichsministerium des Innern
RdErl. des RFSSuChdDtPol. im RMdI
vom 26.6.1936 - O/S Nr 3/36

(1) For your information, I publish in the enclosures my edicts, concerning the appointment of a chief of regular police and that of a chief of security police (enclosure (1)), and concerning the administrative divisions within the realm of the German police (inclosure (2)), effective today.

(2) Official communications in regards to police matters with Reich and Prussian Ministry of the Interior are to be handled as follows:

(a) Letters and communications for me personally, as well as letters and communications of fundamental importance, are to be addressed:

To the
Reichsleiter SS and Chief of German Police in the
Reich Ministry of the Interior
Berlin SW 11
Prinz-Albrecht Str. 8

(b) Letters and communications, which refer to matters to be handled by the headquarters of the regular police according to my edict about the administrative divisions within the realm of the Chief of German Police, are to be addressed:

To the
Reichleiter SS and the Chief of German police in the
Reich Ministry of the Interior
- Chief of Regular Police -
Berlin NW 7
Unter den Linden 74

(c) Letters and communications, which refer to matters to be handled by the headquarters of the Security Police according to my edict about the administrative divisions within the realm of the Chief of German Police, are to be addressed:

To the
Reichsleiter SS and the Chief of German Police in the
Reich Ministry of the Interior
- Chief of Security Police -
Berlin SW 11
Prinz-Albrecht Str. 8

Phone # Chief of German Police : A2 (Flora) 0040
Phone # Chief of Regular Police : A2 (Flora) 0034
Phone # Chief of Security Police : A2 (Flora) 0040

To the lower agencies, the communities and community organizations as well as bodies of public law.

To the highest Reich officials, the Prussian Prime Minister, the Prussian Minister of Finance, the General Manager of the German Railroad, the Directorate of the Reichsbank by copy.

TRANSLATION OF DOC. 1551-PS
OFFICE OF U S CHIEF OF COUNSEL
(cont.)

Inclosure #1

Berlin 26 June 1936

The Reichleiter SS and Chief of the
German Police in the Reich Ministry
of the Interior

Appointment of a Chief of Regular Police and a Chief of Security Police.

(1) On the basis of the execution edict of the Reich Minister of the Interior to the edict of the Fuehrer and Reich Chancellor, in reference to the appointment of a Chief of German Police, I herewith appoint General of Police Kurt DALUEGE as chief of the regular police and SS Gruppenfuehrer (Maj Gen) Reinhard HEYDRICH as Chief of the Security Police.

(2) From the entire police force (Vollzugspolizei) the following come under:

The Chief of Regular Police:
Safety Police (Schutzpolizei)
Rural Police (Gendarmerie)
Local Police (Gemeindepolizei)

The Chief of Security Police
The Political Police
The Criminal Police

(3) The authority over fields of action of the Chief of German Police, not mentioned here, is explained in the plan of administrative division (Inclosure #2)

To the (a) General of Police DALUEGE, (b) SS Gruppenfuehrer HEYDRICH.

Inclosure #2

Berlin 26 June 1936

The Reichleiter SS and Chief of the
German Police in the Reich Ministry
of the Interior
O/S No 2/36

Administrative division within the realm of the Chief of German Police

On the basis of #1 of the edict of the Reich and Prussian Minister of the Interior of 25 June 1936 (not published), for the execution of the edict of the Fuehrer and Reich Chancellor regarding the appointment of a Chief of German Police, I therefore order (with permission of the Reich- and Prussian Minister of the Interior):

1) The functioning of the branches, under the jurisdiction of the Chief of German Police, will be handled by two (2) headquarters:

a) The regular police, which will include the following branches:

Household, pay, welfare, economy and police law.
General administrative affairs of the state police, as far as they concern the regular police
Safety police
Traffic police
Rural police (Gendarmerie), local police (Gemeindepolizei), civil service legal affairs
Medical and veterinary affairs
National defense and army matters, as far as they have been put under the jurisdiction of the regular police
Personnel affairs of officials of the regular police

(The security police is to participate in all actions, which affect the security police).

The headquarters "Regular Police" is entrusted with the functioning of the following branches in conjunction with the headquarters "security police" if the latter are concerned:

Administrative police; and
Personnel affairs of police presidents and police directors.

b) The security police, which will include the following branches:

Political police;
Lodge affairs, freemasonry, fraternity affairs, criminal police;
Disciplinary affairs within the criminal police;
General administrative affairs of the state police, as far as the security police is concerned;
Press law;
Weapons law and traffic with arms;
Passports affairs;
General cases
Special cases
Agreements with foreign states about the free passage of the border (kleinen Grenzverkehr)
Foreign legionnaires (passport matters)
Immigration of Jews from the East

National defense and army matters, as far as they have been put under the jurisdiction of the security police.

Alien affairs:

General cases
Police regulations for foreigners
Special cases
Fugitives (refractäre), deserters
Deportations
Reimbursement
Foreign workers
Border disputes
Extradition of foreigners
Registration of foreigners
Statistics of foreigners

Border disputes; Foreign Legion
Personnel affairs of all officials of the security police
Personnel affairs of all officials of the political and criminal police.

(The regular police is to participate in all actions, which affect the regular police).

2) I confer the leadership of the headquarters Regular Police upon General of Police DALUEGE. I confer the leadership of the headquarters Security Police upon SS Gruppenfuehrer HEYDRICH.

3) The chiefs of the headquarters Regular Police and Security Police will sign:

For the Chief of the German Police
"acting for"
For the Reich and Prussian Minister of the Interior
"by order"

The chiefs of the headquarters Regular Police and Security Police in their offices, in which cases their department heads and assistants are to sign:

"by order"

H1239-0115

4) .....

To a) General of Police DALUEGE
b) SS Gruppenfuehrer HEYDRICH

Communication to .....

- - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1551-PS

28 September 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1551-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1239-0116

H1239-0117

Exhibit USA 716
Filed Jan. 16, 1946

DOCUMENT 1556-PS
OFFICE OF US. CHIEF OF COUNSEL

Report on Sterilization in Germany and occupied countries to be sent to the members of Committee I

Submitted by Dr. B. Ecer

ANNEX B

TRANSLATION

Detailed Statement

on the murdering of ill and aged people in Germany.

1556-PS

1) The murdering can be traced back to a secret law which was released sometime in Summer 1940.

2) Besides the Chief Physician of the Reich Dr. L. Conti, the Reichsfuehrer SS Himmler, the Reichs Minister of the Interior Dr. Frick as well as other men, the following participate on the introduction of this secret law:

   a) The Councillor of the Ministry Dr. Herbert Linden of the Reich's Ministry of the Interior.

   b) Dr. Staehle-Nagold, the Chief Physician of Wuerttemberg.

   c) Councillor of Medicine /Obermedizinalrat/ Dr. Hermann Pfannmueller, Director of the Sanatorium and Nursing Institution Eglfing-Haar near Munich.

   d) Professor Dr. Werner Heyde, Director of the Psychiatric and Neurological Clinic in Wuerzburg.

   .....

3) As I have already stated, there were / after careful calculation / at least 200.000 mainly mentally defficient, imbeciles, besides neurological cases and medically unfit people / these were not only incurable cases /, and at least 75.000 aged people.

4) The murders were mainly accomplished in Muensingen/Wuerttemberg and Linz o/Danube; several gas-chambers with cremation chambers directly attached were constructed there. As the gas-chambers are next to the training grounds of the troops in Muensingen, it is believed that the mentally deficient who were murdered there, were used for experimenting with new poison-gasses.

H1239-0118

DOCUMENT 1556-PS
CONT'D

5) The transport from the institutions to the gas-chambers is carried out by SS Kommandos. These call themselves "Gemeinnuetzige Transport A.G., Berlin, Luetzowufer. This Limited Company also stores the individual medical case histories of the murdered inmates of the institutions.

6) The inmates of the many smaller and middle-sized institutions were murdered almost without exception. The larger institutions are partly - to keep up the pretence to the outside world - still at hand, but they now only have a fraction of the original number of their inmates; for example there are now only some 500 inmates instead of 2500 in Berlin-Buch; in Stadtroda/Thueringen only about 150 instead of 600; in Kaufbeuren/Bayern only 200 instead of 1000, etc. Of the larger Sanatoriums and Nursing Institutions the following were already closed down completely some time ago; Illenau/Baden 800 inmates; Berlin/Herzberge 2500 inmates, Kreutzburg/Oberschlesien 1500 inmates; Sonnenstein/Sachsen 800 inmates; Werneck/Unterfranken-Bayern 111 inmates; Steinhof/Wien 3000 inmates, and others, most probably now also Schleswig with 1000 beds. Guenzburg with 400 etc. etc.

.....

Written in December 1941,

/sgd/ Dr. T. Lang

This is to certify, that the above report by Dr. T. Lang dated Dec. 1941 is part of the original report of the Czechoslovak War Crimes Commission.

Nuernberg 8. Dec. 1945

for Col. Dr. Peer

Capt. Dr. Hochwald

TRANSLATION OF DOCUMENT 1337-PS
Office of U.S. Chief of Counsel

H1239-0119

1938 RMBLIV Page 1089,1090, 1091.

Acceptance of members of the Security Police into the SS of the N.S.D.A.P. of 23 June 1938.

Aufnahme von Angehoerigen der Sicherheitspol. in die Schutzstaffel der NSDAP vom 23 Juni, 1938

Ministerial-Blatt of the Reich and Prussian Ministries of the Interior, Berlin, 1938
No. 28, p. 1090

Appointments, Wages, Maintenance, Service Regulations

ADMISSION OF MEMBERS OF THE SECURITY POLICE INTO THE "SCHUTZSTAFFEL" OF THE NATIONAL SOCIALIST GERMAN WORKERS' PARTY.

Circualr of the Reichsfuhrer SS and Chief of the German Police in the Reich Ministry of the Interior for 23.6.1938 -- S-V 3 No. 72/38

With the aim of fusing members of the German Police with the "Schutzstaffel" of the National Socialist German Workers Party into one uniformly turned out State Protective Corps(Staatsschutzkorps) of the National Socialist Reich, I decree as follows:

1) (1) Members of the Security Police can upon request be received into the Schutzstaffel of the NSDAP if they
1. fulfill the general requirements of the SS and
2. a) Up to 30.1.1933 (inclusive) have been members of the NSDAP or of its affiliates (the "Sturmabteilun the National Socialist Motor Corps, the Hitler Youth) even if they have meanwhile honorably resigned from these affiliates.

or

b) for a static period (seit einem...liegenden Zeitpunkt") before 30.1.1933 were sponsoring members of the SS ("Forderndes Mitglied")

or

c) Have been service for at least three years in the Security Police under the direction of the Reichsfuehrer SS and have proven themselves.

(2) Permit for admission of a wider circle of persons I reserve for myself.

(3) Admission according to the general requirements is not affected by this circular.

II 1) Upon transfer into the SS, the grade held in the police will be changed to a corresponding one in the SS. Former members of the SS, SA, NSKK(National Socialist Drivers Corps) who held a higher rank, will be incorporated with the same high rank. When promoted within the security police, an assimilation of ranks will take place in every case.

2)

TRANSLATION OF DOCUMENT 1637-PS
Contd.

The	The	Corresponds to the
Criminal-assistant-aspirant in preparatory service (Kriminal-Assist-Aniv. im Vorbereitungsdienst)	Office helper (Amtsgehilfe) Botenmeister)	SS Sergeant (SS Unterscharfuehrer)
Criminal-Assistant aspirant (Kriminal-Assist-Aniv)	Superintendant (Hansmeister)	SS-Staff Sergeant SS-Scharfuehrer
Criminal assistant (Kriminal-Assist)	Police office assistant. (Pol-Bueroassist) Police-Prison-Technical Sergeant. (Pol-Gefaengnisoberwachtm)	SS-Technical Sergeant. (SS-Oberscharfuehrer)
Chief Criminal Assistant. (Krim-Oberassist)	Police-Prison-Master Sergeant (Pol-Gefaengnis-Hauptwachtm)	SS-Master Sergeant (SS Hauptsscharfuehrer)
Criminal secretary (Krim-Sekretar) Criminal district secretary (Krim-Bez.Sekretar)	Police-secretary (Pol-Sekretar) Office-Secretary (Kanzleisekretaer) Police secretary first class (Pol-Obersekretaer) Technical secretary (Techn. Sekretaer)	SS-Lieutenant (SS-Untersturmfuehrer
Criminal inspector (Krim-Inspektor) Criminal commissar up to 15 years of service (Krim-Kommissar)	Ministerial registrator (Min-Registrator) Police inspector (Pol-Inspektor) Assessor (Assessor)	SS-First Lieutenant (SS-Obersturmfuehrer)
Criminal commissar with over 15 years of service. (Krim-Kommissar) Criminal counsellor (Krim-Rat) up to 15 years of service.	Police inspector (Pol-Inspektor) with 300 Reichsmark additional salary. Police inspector first class (Pol-Oberinspektor) Government-Assessor (Reg-Assessor) Police counsellor up to 15 years of service. (Pol-Rat)	SS-Captain (SS-Hauptsturmfuehrer)

H1239-0120

H1239-0121

The	The	Corresponds to the:
Criminal counsellor with over 15 years of service (Krim-Rat) Criminal director (Krim-Direktor) Government and criminal counsellor (Reg. u. Krim-Rat)	Police counsellor with over 15 years of service. (Pol-Rat) Office-counsellor (Amtsrat) Government-counsellor (Reg- Rat)	SS-Major (SS-Sturmbann-fuehrer)
Government counsellor first class and criminal counsellor. (Oberreg.-und Krim.-Rat)	Government counsellor first class (Oberreg-Rat)	SS-Lieutenant Colonel (SS-Obersturmbahnfuehrer)
Government and criminal director (Reg.-und Krim.-Direktor) Reich-criminal director (Reichskrim-Direktor)	Government director (Reg-Direktor) Ministerial counsellor (Min-Rat)	SS-Colonel (SS-Standarten-fuehrer)

3) I myself will make decisions about incorporation of members of the security police with higher ranks.

4) The employees of the security police will be put into that SS rank which corresponds to their rank as civil servant, according to their jobs.

5) Members of the security police incorporated into the SS up to the publication of these ordinances will be promoted to the SS rank corresponding to their police rank, provided they do not already hold such, or a higher SS rank.

III

1) Members of the security police incorporated into the SS will be assigned to the units of the security service of the Reichsfuehrer-SS, according to more detailed instructions of the chief of the security police and of the security main office of the Reichsfuehrer-SS.

2) The chief of the security police and of the security main office regulates the SS-service relations (Dienstverhaltnisse) and obligations of the members of the security police who were incorporated into the SS.

IV

1) The applications of members of the security police for admission to the SS are to be directed to the chief of the security police through service channels.

2) The applications are to be submitted according to the following sample:

SAMPLE:

(Place and date)

I herewith request admission to the security service of the Reichsfuehrer-SS in conformity with the circular of the Reichsfuehrer-SS and Chief of the German police in the Ministry of the

Interior of June 23rd, 1938-S.V.3 number 72/38(R M Bli V. page 1089)

First and last name: _____

_____
(rank and office)

Day, month and year of birth: _____

Place of birth: _____

Party membership number, district(Ortsgruppe): _____

Last SS-, SA-, NSKK or HJ rank and number,

last SS, SA-, respectively HJ district

(Dienststelle): _____

_____

Separated from the SS etc. on the _____
(with indication, whether transferred directly to the police, or, if otherwise, which service relations(Dienstverhaltnisse) in the meantime)

Day of joining the NSDAP, SS, SA, HJ _____

Helping member (Foerdernoles Mitglied) of the SS since: _____

Working in the security police since: _____

To
The Chief of the security police
through channels.

- -

V. This circular is to brought to the attention of all members of the security police.

To the Reichsstatthalter, the state governments, the Reichscommissioner for the Saarland, the Prussian supreme and government presidents, the office of the secret federal police(Gestapo), the Reich criminal police office (Reichskrim-Pol-Amt), the federal police main offices(Staatspol-Leitstellen) and federal police office(Staatspol-Stellen), the criminal police main offices (Krim-Pol. Leitstellen) and criminal police offices(Krim-Pol Stellen), the commander of the leaderschool of the security police(Kommandeur der Fuehrerschule der Licherheitspol.

To the SS main office(SS-Hauptamt), the main office for security(Sicherheitshauptamt), the security service leaders (SD-Fuehrer) of the higher levels of the SS(SS-Oberabschnitte) and the security service lower levels(SD-Unterabschnitte)

by copy. R M Bli V page 1089.-

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1637-PS

28 Sept 1945.

I, FRED NIEBERGALL, 2nd Lt. Inf. 0-133 55 67, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Doc. 1637-PS

FRED NIEBERGALL
2nd Lt. Inf.
0-133 55 67.

H1239-0122

TRANSLATION OF DOCUMENT 1638-PS
OFFICE OF U S CHIEF OF COUNSEL

H1239-0123

1938 REICHS MINISTERIALBLATT iV, PAGE 1906

Cooperation of the Agencies of the General and
Interior Administration with the S.D. of the Reichsführer SS (SD)
of 11 Nov. 1938

Zusammenarbeit der Behörden der allgemeinen und
inneren Verwaltung mit dem Sicherheitsdienst des Reichsführer SS (SD)
vom 11. Nov. 1938

(1) The Security Service of the Reichsfuehrer SS (SD) has, as the intelligence organization for Party and nation - in particular for the support of the Security Police - important missions to fulfill. The SD thereby becomes active on a national mission. This necessitates a close and sympathetic cooperation between the SD and the authorities for general and internal administration. Therefore, inquiries of the SD are to be answered in the same way as inquiries of all national office are treated. Likewise, the sections of the SD are obligated to furnish information to the general and internal administration.

(2) Business between the SD and the Reich Ministry of the Interior proceeds solely through the Chief of the Sicherheitshauptamt, business between the SD and the remaining authorities of general and internal administration only through the higher levels (Oberabschnitte) of the SD. Business between the authorities for general and internal administration of the SHA proceeds through the Reich Ministry of the Interior, business between the authorities for general and internal administration and the other SD offices in Prussia through the Regierungs-Praesident or Ober-Praesident, in the other provinces through the corresponding authorities. In doubtful cases the combined decision of the Reich Ministry of the Interior and of the Reichsfuehrer SS should be obtained.

Supplement for municipalities, municipal groups, other corporate bodies of the public law: I request, to act accordingly.

To lower authorities, municipalities, municipal groups, other corporate bodies of the public law.

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28 September 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1638-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

Exhibit USA 713
Filed Jan. 16, 1946

SYNOPSIS OF DOCUMENT 1643-PS
OFFICE OF U S CHIEF OF COUNSEL

S y n o p s i s of letter written 29 November 1942 by Dr CASDORF to various Reich officials; Leader of the SS
Chief of the German police
Main Government Office of Economics of the SS

Invitation extended to various responsible officials for a meeting to be held on 17 December 1942 at 10 o'clock, for the purpose of discussing the legal aspects of the confiscation of property by the SS for enlarging the concentration camp at Auschwitz as suggested in the attached letter.

• • • • • • • • • • •

S y n o p s i s of letter written 7 November 1942 by SS General POHL to the Reich Minister of Finance for the enlargement of the concentration camp at Auschwitz.

The Reichsfuehrer of the SS expressed the wish that the territory of Auschwitz concentration camp should be increased to about 4840 acres and become a private estate owned by the Reich. The area in question (to be confiscated as soon as possible) belonged to various owners such as: 1) Jewish and Polish private land owners, 2) towns in which most of the industrial property belonged to the Poles and the Jews, 3) the Polish State, 4) the community, 5) the church, 6) racial Germans.

1643-PS

Different authorities were in charge and different rules had to be applied which made the transfer of property an impractical legal procedure. For this reason, the Minister of Justice introduced a new regulation on 23 May 1942 which made a new system of property registration possible.

The SS suggests that the Reichskommissar, for the securing of the German element, should be authorized to transfer estates under categories 2-6. Racial Germans should be compensated for their estates in money or in alloting other ground properties to them.

It is desired that all authorities concerned should be notified and invited for a discussion on this subject. In this meeting, Dr FIEDLER (Office of the Reichskommissar for the strengthening of the German element) and Mr KORCH (Zentralbodenamt) should participate.

• • • • • • • • • • •

S y n o p s i s of teletype letter from the Chief of the ORPO to the Regierungspraesident in Kattowitz, 8 December 1942, forwarded to the Reich Minister on 9 December 1942.

The chief of police orders:

The creation of an independent police district for the concentration camp and quarters (Lager und Wohnsiedlung) for inmates in Auschwitz, headed by the camp commandant. This new regulation will not affect the police functions of the Landsrat in Bielitz or of the Regierungspraesident in Kattowitz. The commander of the camp will be the police chief of the town of Auschwitz. The disciplinary measures ordered by the camp commander against the camp inmates should not have the character of police measures, and his functions as camp commander and police chief should be kept distinct. The field police can be ordered by the camp commandant for special duty within the camp itself; but such an order can be given only by the camp commander.

• • • • • • • • • • •

S y n o p s i s of a copy of minutes of meeting held on 17 and 18 December 1942 about the confiscation of territory for the enlargement of the Auschwitz concentration camp.

In order to be able to enlarge the territory of the Auschwitz concentration camp, it would be expedient to transfer all the estates to be

H1239-0124

confiscated to the "Zentralbodenamt" which is an agency of the Reichsfuehrer SS. However, in order to carry out this transaction, all those agencies which are at present responsible for the various types of real estate in question, have to give their approval.

The officials in charge of the church property and of the former Polish State property gave their consent to release the estates under their jurisdiction to the Zentralbodenamt. However, the representative of the Reich Minister of the Interior claimed that he had no authority to dispose of the property.

Of the community, in spite of arguments to the contrary from other officials, a further discussion on 21 December 1942 was to be held between the representatives of the Reich Ministry of the Interior and the Reichsfuehrer SS.

On 18 December 1942 the representative of the Haupttreuhandstelle Ost agreed to release the estates under their jurisdiction and empower the officials in charge to initiate the transactions. The still remaining legal requirements for the release of properties belonging to industrial enterprises, racial Germans, and the town of Auschwitz were finally discussed. The list of participants appears on page 4. Attached, an authorization from the Reich Minister of Finance (Haupttreuhandstelle Ost) issued 12 January 1943, giving full power of attorney to the Bodenamt of the Reichsfuehrer SS to make out the necessary declarations in regard to the real estates.

. . . . . .

S y n o p s i s of teletype letter from Dr HOFFMAN, representing the Reich Ministry of the Interior, to the Regierungspraesident in Kattowitz, dated 22 January 1943.

The territory of the Auschwitz concentration camp will be changed into an independant estate. For this purpose it must become the property of the Reich, represented by the Reichsfuehrer SS. This transaction must be carried out quickly. Land belonging to the Auschwitz district or to former Reich communities will be transferred after individual agreements have been made between the owners and the Reichsfuehrer SS or his agencies. The other community property will be transferred to the Bodenamt from the respective communities through the mediation of the Regierungspraesident. Regardless of how much of a property will become part of the new concentration camp estate, it will have to be purchased in its entirety. After the measurements have been completed, the part not needed for the camp estate will be returned to the original owner. In the Interior the Reichsfuehrer will administer the property.

Finally the legal aspects of the compensation are discussed.

(Note: Last statement is a summary of the last few paragraphs.)

. . . . . .

S y n o p s i s of letter from Dr HOFFMANN, representative of the Reich Ministry of the Interior, to the Oberpraesident of Kattowitz, dated 9 June 1943.

Inquiry as to whether the new Auschwitz estate has already been formed.

. . . . . .

S y n o p s i s of letter from the Chief President of Upper Silesia to the Reich Minister of the Interior, dated 16 August 1943.

Since the new estate of the concentration camp Auschwitz could not be created fast enough because two private properties could not be purchased, the President of Upper Silesia issued a decree creating a new district for Auschwitz. This decree, issued 31 May 1943, is attached in two copies. It gives a detailed description of the border line of the newly created Auschwitz district. Relevant maps are enclosed in folder.

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H1239-0125

H1239-0126

CERTIFICATE OF SYNOPSIS
OF DOCUMENT NO. 1643-PS

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct synopsis based on the original German of Document No 1643-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

TRANSLATION OF DOCUMENT 1652-PS
OFFICE OF U S CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART 1, PAGE 135

Decree of the Reichs President for Protection against treacherous Attacks on the Government of the Nationalist Movement
21 March 1933

Verordnung des Reichspräsidenten zur Abwehr heimtückischer Angriffe gegen die Regierung der nationalen Erhebung
21 März 1933

On the basis of Article 48, Par. 2 of the constitution the following is decreed:

Par. 1

1) Any person possessing a uniform of an organization supporting the government of the nationalist movement without being entitled thereto through membership in the organization or otherwise, will be punished with imprisonment up to two years.

2) Any person wearing the uniform or an insignia representing membership of an organization designated in Par. 1, without being a member of the organization, will be punished with imprisonment of at least one month.

Par. 2

1) Whoever commits a punishable act against persons or objects or threatens the same and while so doing wears or carries with him the uniform or insignia designating membership in an organization of the kind listed in Section 1(1) without being a member of the organization, will be punished with a penitentiary sentence; in case of mitigating circumstances, with imprisonment of not less than 6 months.

2) If the offence was committed with the intention to incite a revolt or to create fear or panic among the populace or to cause difficulties for the German Reich in its foreign affairs, the punishment is a penitentiary sentence of from 3 years to life. In especially severe cases the death penalty may be exacted.

3) According to these regulations a German can also be prosecuted if he has committed the offence in a foreign country.

Par. 3

1) Whoever purposely makes or circulates a statement of a factual nature which is untrue or grossly exaggerated or which is apt to seriously harm the welfare of the Reich or of a state or the reputation of the national government or of a state government or of the parties or organizations supporting these governments, is to be punished, insofar as no more severe punishment is decreed in other regulations, with imprisonment up to two years and, if he makes or spreads the statement publicly, with imprisonment of not less than three months.

2) If through this deed, heavy damage for the Reich or a state resulted, penitentiary punishment can be exacted.

3) Whoever commits an act through negligence, will be punished with imprisonment up to 3 months, or by a fine.

Par. 4

Whoever has acquired membership in an organization surreptitiously is counted as a non-member in the application of this decree.

H1239-0128

Par. 5

This decree becomes effective on the day following its publication.

Berlin, 21 March 1933

Reichs President
von HINDENBURG
Reichs Chancellor
Adolf HITLER
Reichs Minister of the Interior
FRICK
For the Reichs Minister for Justice
The Deputy of the Reichs Chancellor
von PAPEN

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1652-PS

26 September 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1652-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1239-0129

1935 REICHSGESETZBLATT, Page 369-Nr. 28
dated 16 March, 1935.

TO THE GERMAN PEOPLE!

AN DAS DEUTSCHE VOLK!

When in November 1918, the German people trusting the assurances given in Wilson's 14 points, laid down their arms, after four and a half years of glorious resistance in a war which they never wanted, they believed, not only to have rendered a service to tortured mankind but also toward a great idea. Suffering the most, under the consequences of this insane battle, millions of our people faithfully grasped at the thought of a reorganization of the relation-ship between people. This would be improved by the elimination of secret diplomatic cabinet politics on one hand, and the horrible means of war on the other. The harshest results of defeat which are history appeared, to many German people as the necessary sacrifices in order to free the world once and for all of similar horrors.

The idea of the League of Nations has probably not aroused a more hearty approval in other nations than in the German which lost all earthly happiness. And so it was easy to understand, why the German people occupied and fulfilled the inane requests for destruction of armaments. The German people, and especially the administration, were convinced that through their fulfillment of orders for disarmament, laid down at Versailles, an international disarmement program was going to be started and guaranteed. For only in a fulfillment of these orders, by both sides, lies a moral sensible justification for a demand, which if unilaterally imposed and executed, will lead to eternal discrimmination and with that, to a declaration of inferiority, of a great nation. But such a peace treaty could never be the pre-requisite for a real inner reconciliation of the people and with that lead to a pacification of the world; but it would only create an eternal burning hatred. Germany has fulfilled the imposed disarmament obligations laid down by the Inter-Allied Control Commission.

The following were the works of the destruction of the German military power and its means which were certified to, by this commission.

A. Army

59 897	guns and barrels
130 558	machine guns
31 470	trench mortars and barrels
6007 000	rifles and carbines
243 957	machine gun barrels
28 001	gun carriages
4 390	trench mortar carriages
38750 000	projectiles
16550 000	hand and rifle grenades
60400 000	fuzes
491000 000	small arms amunition
335 000	shells
23 515	cartridges and bullets
37 604	powder
79 500	empty shells
212 000	telephones
1 072	flamethrowers
31	armored trains
59	tanks
1 762	observation cars
8 982	wireless stations
1 240	Field bakeries
2 199	pontoons
981	pieces of equipment for soldiers and

8230 350 sets of equipment for soldiers
7 300 pistols and revolvers
180 machine gun sleighs
21 mobile workshops
12 AA gun carriers
11 caissons
64 000 steel helmets
174 000 gas masks
2 500 machines of former war industry.
8 000 rifle barrels

B. Air
15 714 fighter planes and bombers
27 757 Airplane engines

C. Navy
26 battleships
4 coast guard vessels
4 destroyers
19 small destroyers
21 schoolland special ships
83 torpedo boats
315 U-Boats

Remarks to A and B.

Further under the destruction duties; vehicles of all kinds, means of gas attack and partly gas defense, gas and explosives, searchlights, sighting mechanisms, range-finding and sound-ranging devices, optical apparatus of all kinds, harnesses for horses, narrow gauge equipment, field printing shops, field kitchens, workshops, slash and stabbing weapons, steel helmets, ammunition transport material, normal and special machines of the War industry as, buildings, blueprints thereof, airplane and zeppelin hangars, etc.

Following this unprecedented historical fulfillment of a treaty, the German people had the right to expect the redemption of the introduced duties also from the other side.

Because:

1. Germany has disarmed.

2. In the peace treaty it was plainly required that Germany must be disarmed in order to set precedent for general disarmament; this means, it was said that only in Germany's armament alone lies the basis for the armament of other nations.

3. The German people were filled with such principles in its governments and in its Parties which completely agreed with the pacifistic-democratic ideals of the League of Nations and its founders.

While Germany however had fulfilled its obligations on one side of the treaty, there remained the redeeming of the obligations on the other side. That means: the high treaty-makers of the former victorious states have unilaterally released themselves from the obligations of the Versailles treaty!

Not enough that every disarmament, was in some way or another comparable to the German destruction of arms, discontinued, no! Not even a stanstill in the armament was seen, on the contrary, the armament of a whole number of states became visible. What was discovered during the War in the way of new distructive machinery now was completed in a methodical-scientific way. In the field of creating mighty tanks, fighters and bombers, uninterrupted and terrible improvements took place. New large guns were constructed new high explosive, incendiary and gas bombs were developed.

In the meantime however, the world resounded again with war cries as if there never had been a World War and never a Versailles Treaty.

H1239-0130

H1239-0131

Germany was an empty powerless space, among these highly armed War states, which continually made available the most modern motorized equipment; (Kraefte) and had no defense against any menace or threat. The German people recall the disaster and suffering from fifteen years of economical distress, political and moral humiliation. It is therefore easily understood when Germany began to ask loudly for the redeeming of the promise of the disarmament of the other nations.

Because this is clear;

The world would not tolerate a hundred year long peace but it must be an unmeasureable blessing to her. But it would not endure a hundred year long break between conqueror and conquered.

The feeling regarding the moral rectification and necessity of an international disarmament was not only active in Germany but also within many other nations. Out of the pursuance of these strengths resulted attempts to try and direct an ammament reduction by means of conferences and thereby bring about a general international assismilation on a lower level.

And so resulted the first proposition for an international armament abrogation, of which we have the memory of the Mac-Donald Plan as being significant.

Germany was prepared to accept this plan and to take it as foundation of a final agreement.

It failed due to the rejection by other nations and was finally abandoned. Since the German people and Reich under such circumstances found no realization in the equality of rights solemnly guaranteed in the December declaration of 1932, the new German government saw in themselves, the guardians of the honor and the living rights of the German people; they were not in the position to continue to take part in such conferences or to belong to the League of Nations.

Even after the leaving of Geneva, the German Government was still prepared not only to consider proposals by other nations but also to make several practical proposals themselves. They undertook thereby the conception, which was coined by other nations themselves, that the creation of short service Armies are inappropriate for purposes of aggression and therefore are to be recommended for a peaceful defense.

They were therefore prepared to convert the long-service Reichswehr into a short service Army according to the wishes of other nations. Their proposals of the winter 1933/34 were practical and easy to accomplish. Their rejection as welllas the final rejection of the similar proposed Italian and English plan however led us to believe that the inclination toward a further sensible fulfillment of the Versailles disarmament provission no longer exists.

Under these circumstances, the German government was forced to t take every necessary measure which would guarantee the termination of conditions, which are just as unworthy as menacing; of the helpless defenselessness of a great people and Reich.

They started out from the same motivations as the very true expression given by Minister Baldwin in his last speech:

" A country, which is not willing to seize the necessary precautionary measures for its own protection will never have might in this world, neither moral nor material might."

The Government of the present day German Reich however, only wishes one single moral and material might; it is the power to be able to protect the peace for the Reich and with that, peace for all of Europe!

Therefore she did everything that was in her power and what could serve toward the furtherance of the peace;

1. For a long period of time she was proposed to all her neighbor nations, the signing of non-agression pacts.

2. She has sought and found an ggreeable arrangement with the eastern neighbor nation, which, thanks to the great arbitrary understanding, has for ever decontaminated the menacing atmosphere which existed when they took over the power, and it will lead to a lasting understanding and friendship between the two peoples.

3. She has finally given France the solemn security that Germany, after the effectuated arrangement of the Saar question will not place or raise anymore territorial claims against France. She believes thereby to have created, in a historically rare form the prerequisite for the termination of a hundred year long conflict between two large nations through a great political and essential sacrifice.

However, the German government must witness to its regret, that for months a continually rising rearmament is taking place in the world. She sees in the creation of a Soviet-Russian Army of 101 Divisions, which means 960,000 men in present peacetime strength, an element which couldlnot be forseen at the time of the composition of the Versailles Treaty.

She sees further signs of rejecting the disarmament idea, proclamated in its time, in the overdoing of similar measures. It is far from the German Government to reproach any nation. However, she sees today that through the present resolved introduction of the two-year military service in France, the basic ideas of the creation of a short service defense Army has been abandoned in favor of a long-service organization.

This, however, was one of the arguments used in the demands on Germany, to surrender its Reichswehr.

.....Under these circumstances, the German government feels that it is impossible longer to postpone taking the necessary measures for the security of the Reich, or even to hide them from the knowledge of the world.

Therefore, if it now complies with the desire, expressed in the speech of the English Minister Baldwin on November 28, 1934 for a clarification of the German intentions, then this is done:

1. IN ORDER TO GIVE THE GERMAN PEOPLE THE CONVICTION AND THE OTHER STATES THE KNOWLEDGE THAT THE MAINTAINING OF THE HONOR AND SECURITY OF THE GERMAN REICH WILL, FROM NOW ON, AGAIN BE ENTRUSTED TO THE GERMAN NATION'S OWN POWER.

2. but in order, by fixing the extent of the German measures, to invalidate those assertions which wish to imply that the German people are striving for a position of military hegemony in Europe.

What the German government desires, as the guardian of the honor and interests of the German nation, is to guarantee the extent of those means of power which are required not only for maintaining the integrity of the German Reich, but also for the international respect and esteem of Germany as a co-guarantor of the general peace.

For in this hour the German government renews, before the German people and before the whole world, the assurance of its determination never to trespass the limit of guarding German honor and the freedom of the Reich, and especially of its determination to (wish to) form, in the national German armament, not an instrumant of military attack, but rather exclusively one for defense, and thus for maintaining the peace.

In so doing, the German Reich Cabinet expresses the confident hope that the German people, which thus regains its honor, may be permitted, with independent equal right, to make its contribution to the pacification of the world in a free and open cooperation with the other nations and their governments.

In this spirit the German Reich Cabinet has today passed the following law:

Law for the Organization of the Armed Forces of March 16, 1935.

The Reich Cabinet has passed the following law which is herewith promulgated:

Section 1

Service in the Armed Forces is based upon compulsory military duty.

Section 2

In peace time, the German Army, including the police troops, transferred to it is organized into:

H1239-0132

H1239-0133

12 Corps and
16 Divisions.

Section 3
The Reich Minister of War is charged with the duty of submitting immediately to the Reich Ministry, detailed laws on compulsory military duty.

Berlin, March 16, 1935

The Fuehrer and Reich Chancellor
ADOLF HITLER

The Reich Minister of Foreign Affairs
FREIHERR VON NEURATH

The Reich Minister of the Interior
FRICK

The Reich Minister of Finance
GRAF SCHWERIN VON KROSICK

The Reich Minister of Economics
Acting: HSALMAR SCHACHT
President of the Board of Directors of the Reichsbank.

The Reich Minister of Labor
FRANZ SELLTE

The Reich Minister of Justice
DR. GUERTNER

The Reich Minister of Defense
VON BLOMBERG

The Reich Minister of Post and traffic
FREIHERR VON ELTZ

The Reich Minister of Nutrition and Agriculture
R. WALTHER DARRE

The Reich Minister for Public Enlightenment and Propaganda.
DR. GOEBBELS

The Reich Minister for Air
HERMANN GOERING

The Reich Minister of Science Education and Popular Culture
RUST

The Reich Minister without Portfolio
R. HESS

The Reich Minister without Portfolio
KERRL

The Reich Minister without Portfolio
Dr. HANS FRANK

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CERTIFICATE OF TRANSLATION
OF DOCUMENT 1654-PS

2 Oct. 1945.

I, FRED NIEBERGALL, 2nd Lt. Inf. O-133 55 67, hereby certify that I am thoroughly conversant with the Enlish and German languages and that the attached above is a true and correct translation of Document 1654-PS.

FRED NIEBERGALL
2nd Lt. Inf.
O-133 55 67

TRANSLATION OF DOCUMENT 1660-PS
OFFICE OF U S CHIEF OF COUNSEL

1938 REICHSGESETZBLATT, PART 1, PAGE 631

Decree for the Registration for the Active Service in Austria in the year 1938
of 16 June 1938

Anordnung über die Auschebung zum aktiven Wehrdienst im Jahre 1938 im Lando Österrei
vom 16. Juni 1938

I. The registration for the active service in the army for the year 1938 in the country of Austria will be conducted during the time from 16 August until 10 September 1938.

II. To be called for registration:

1. All those subject to duty, born in the year 1917, without regard to their physical fitness and regardless whether they were exempt from induction in spring of the year 1938;

2. All those volunteers of other years of birth who were considered "general service";

3. All those subject to duty considered "general service" or "limited service" at the time of induction of the class of 1915 and 1916 who have registered with reserve commands and who have as yet not been trained;

4. The volunteers who have reported, or want to report, in June 1938, for induction into active service for the fall of 1938 (for the Luftwaffe also for the spring of 1939), without regard whether or not they have been physically examined.

III. Charged with this task are

in the higher administrative echelons:
The Landeshauptmänner (governors of provinces)
in Vienna the mayor;
in the district police echelons:
in the cities, the mayor, and the State police officer, as far as they are on hand.
in Vienna the Chief of Police
in the rural districts the district governors

IV. This decree is based upon Article 37, Section 2 of the draft law dated 21 May 1935 (Reichsgesetzbl. I, page 609) and the decree of the Fuehrer and Reich Chancellor regarding the transfer (carrying over) of the institutional law according to the draft law dated 22 May 1935 (Reichsgesetzblatt I, page 615) and the decree on the introduction of the general draft in the country of Austria dated 15 June 1938 (Reichsgesetzblatt I, page 631).

Berlin, 16 June 1938

The Chief of the High Command of the Armed Forces
Keitel
The Reich Minister of the Interior
Frick

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1660-PS

28 September 1945

I, FRED NIEBERGALL, 2nd Lt Inf. O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1660-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

TRANSLATION OF DOCUMENT 1662 -PS
OFFICE OF US CHIEF OF COUNSEL

H1239-0135

1938 REICHSGESETZBLATT, PART I, PAGE 1580

Order eliminating Jews from German Economic Life of
12 November 1938

Verordnung zur Ausschaltung der Juden aus dem deutschen Wirtschaftsleben
vom 12. November 1938

On the basis of the Decree of 18 October 1936 for the execution of the Four Plan (RGBl I, p. 887), the following is ordered:

Article 1

1) From Janurary 1, 1938, operation of retail shops, mail order houses, independent exercise of handicrafts is forbidden to Jews. (Article 5 of the First Decree to Reich citizenship law (Reichsbürgergesetz) of 14 Nov 1935- RGBl I, 1933).

2) Morever it is forbidden to Jews from the same date to offer goods or services in the markets of all kinds, fairs, or exibitions or to advertise such or accept orders therefore.

3) Jewish shops operated in violation of this order will be closed by police. (Third Decree to Reich citizenship law of 14 June 1938 - RGBl I, 627).

Article 2

1) No Jew can manage a firm according to the interpretation of the term "manager" under the law for national labor of 20 Jan 1934. (RGBl I, 45).

2) If a Jew is a leading employee in a business concern he may be dismissed wit notice of six weeks. At expiration of this period all claims resulting from the employee's contract, especially claims of compensation or Pensions, become null.

Article 3

1) No Jew can be a member of a cooperative society.

2) Jewish members of cooperatives lose membership from 21 Dec 1938. No notice is necessary.

Article 4

Competent Reich Ministers are empowered to issue rules required by this decree. They may permit exceptions so far as this is necessary for transfer of Jewish firms into non-Jewish hands or for liquidation of Jewish concerns and in special cases in order to insure supplies.

Berlin 12 November 1938

The Commissioner for the Four Year Plan
Goering
General Field Marshal

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1662-PS

1 October 1945

I, FRED NIEBERGALL, 2nd Lt, Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1662-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

TRANSLATION OF DOCUMENT 1667-PS
OFFICE OF U S CHIEF OF COUNSEL

H1239-0136

1936 REICHSGESETZBLATT, PART I, PAGE 132

Decree concerning the Seizure of German Citizen Abroad
for Active Military Service and Reichs Labor Service in the Year 1936
of 6 March 1936

Anordnung über die Erfassung der deutschen Staatsangehörigen
im Ausland für den aktiven Wehrdienst und Reichsarbeitsdienst im Jahre 1936
vom 6. März 1936

On the basis of Article 37 part 2 of the defense law of 21 May 1935 (RGBl I, p. 609), the decree of the Fuehrer and Reichs Chancellor of 22 May 1935 (RGBl I, p. 615), concerning the transfer of the right of issuing orders (Verordnungsrecht) according to the defense law, Article 26 of the Reich Labor Service Law of 26 June 1935 (RGBl I, p. 769) and Article 1, part 3 of the decree concerning the drafting of German citizen abroad for active military service and for the Reich Labor Service of 31 January 1936 (RGBl I, p. 65), the following is ordered to carry out Article 17 part 1 of the defense law and Article 1 part 2 of the Reich Labor Service Law:

I. In the spring of 1936 the German consular authorities will register: the German citizens abroad subject to military service whose birth years are 1914, 1915 and 1916.

II. a) Subjects to military service of the birth years 1914 and 1915 are no more drafted for the Reich Labor Service. Beginning 1 October 1936 they may be drafted for active military service.

b) Subjects to military service of the birth year 1916 may be drafted for the Reich Labor Service from 1 April 1937 to 30 September 1937 and for active military service beginning 1 October 1937.

III. 1) On 1 October 1936 also subjects to military service of the years 1911 to 1915, on 1 October 1937 subjects to military service of the birth years 1912 to 1919 may be enlisted in the Armed Forces for voluntary fulfilment of their active service obligation with the Armed Forces.

2) Volunteers of the birth years 1916 to 1919 have to perform Reich labor service from 1 April 1937 to 30 September 1937, if they are leader candidates for the Reich Labor Service from 1 October 1936 to 30 September 1937. Volunteers of the birth years 1912 and 1913 may perform Reich labor service from 1 April 1937 to 30 September 1937, if they are leader candidates for the Reich Labor Service from 1 October 1936 to 30 September 1937. The birth year group 1911 and older birth year groups are no more enlisted in the Reich Labor Service.

Berlin, 6 March 1936.

The Reich Minister of the Interior
FRICK

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1667-PS

1 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1667-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

TRANSLATION OF DOCUMENT 1680-PS
OFFICE OF U S CHIEF OF COUNSEL

10 Years Security Police and SD (Security Service)

When the Fuehrer assumed the direction of the fate of the German Reich and people on 30 January 1933, he found in the domain of the police, as in all other fields, a situation which bore all the signs of the irresponsible incapability of the Weimar system. The concept of a police force, were, together with the Marxist-Liberal tendency and their characteristic practices the main reasons for the insufficiently organized and therefore in many respects helpless condition of the police.

This was particularly obvious in that part of the police system to which was assigned the task of the safekeeping of the community against inner-political dangers from the beginning of all historical state activity. The activities to which we are accustomed today under the concept of "Security Police" was, under the "Weimar Interim State" in its political police field, exclusively directed towards a prevention of the unavoidable collapse of its system, especially against the National Socialist movement, with the use of more or less brutal means of power of the state, and was decisively handicapped in the domains of criminal police by the organizational splintering as well as the liberalistic sympathy towards crimes and criminals which existed at that time.

The task of the New National Socialist Security Police, which became apparent with the assumption of power in 1933, had to include as a nucleus the creation of an organism with the view towards the vital necessities of the people and without consideration of the individual interest the safeguarding of the communities against all disturbances and destructions. The prerequisite for its organization was the strict coordination of the political and criminal police, which were split through the federal state regulations and which alone could provide the necessary striking power for the struggle against the enemies of the nation and in the service of the commands of the leadership (Fuehrung). The foundation for this achievement of restoration were the National Socialist views of the world, the occupation of important positions by proved national socialistic fighters and the inner core of a large part of the police officials which had remained unharmed in spite of all the attempts to rouse them.

The fight against the political, as well as the individual criminal which were the responsibility of the political departments of the police administration and of the criminal police and which is now combined under the term of "Security Police" took a continuously developing form in the execution of its central goal, as well in its content as in its organization. With the knowledge that the police in the National Socialistic State of which it is a distinguished representative, must not only be the best friend of the people but also, and just for the same reason, the most pitiless adversary of all the enemies of the nation, the preventive fight against criminals was added to the activities of the security police which was previously mainly punitive and executive. This constitutes a decisive innovation in the general development of the police. The activities of the security police were furthermore considerably supported by the communication service, and partially made possible only by the development of the security service of the Reichsfuehrer SS, which was created upon the assumption of power which came into ever closer personal and organizational contact with the security police in the course of years.

The general development of the police since 1933 was outwardly characterized by:

- the Reichs Reconstruction Law (Reichsneuaufbaugesetz) of 1934 (central directive law for the federal states in individual domains).
- the merger of the Reichs Ministry of the Interior and the Prussian Ministry of Interior of 1934,
- the Fuehrer decree concerning the creation of a Chief of the German Police dated 17 June 1936,

H1239-0138

the law about finance measures in the domain of the police of 1937, the German Police official law of 1937.

Within the general development of the police since 1933, the following regulations were of decisive importance for the security police and SD (Security Service):

Decree of the Reichsfuehrer SS and the Chief of the German Police in the Reichs Ministry of the Interior of 26 June 1936 (Transfer of Direction of the Security Police, newly created from the political, secret state and criminal police to the SS Gruppenfuehrer (Maj Gen) HEYDRICH as chief of the Security Police. Decree of the Reich and Prussian Ministers of the Interior concerning appointment of inspectors of the Security Police, dated 20 Sept 1936,

Decree of the Reichsfuehrer SS and Chief of the German Police of 27 Sept 1939, concerning the merger of the central bureaus of the security police and the SD along with the

Decree of execution of the chief of the Security Police and the SD of the same date concerning the creation of a Central Bureau of Reich Security (Reichssicherheitshauptamtes).

The organizational development of the three branches, Secret State Police (Gestapo), Criminal Police, and Security Service (SD) of the Reichsfuehrer SS, which are now merged under the leadership of the Chief of the Security Police and SD took place in its details, as follows:

1. <u>The Secret State Police (GESTAPO)</u>

The first step towards the creation of a Secret State Police replacing the Political Police Forces of the various federal states was undertaken in Prussia by the law concerning the establishment of a Secret State Police, dated 26 April 1933. The same day a circular decree was issued by the Prussian Ministers of the Interior regulating the tasks and responsibilities of the Secret State Police and establishing a State Police Bureau in each government district of Prussia as a subordinate to the Secret State Police Bureau. The creator and Chief of the Secret State Police in Prussia was Prime Minister (Ministerpraesident) Hermann GOERING. The State Police Bureaus were separated from their organizational connection with the District Government or the police administrations of the State and appointed as independent authorities of the Secret State Police, in the spring of 1934 by a circular decree of the Prime Minister and the Chief of the Secret State Police.

Parallel to that development in Prussia, the Reichsfuehrer SS Heinrich HIMMLER created in Bavaria, the Bavarian Political Police, and also suggested and directed in the other federal states outside of Prussia the establishment of Political Police. The unification of the Political Police, of all the federal states, took place in the spring of 1934 when Hermann GOERING appointed Reichsfuehrer SS Heinrich HIMMLER, who had meanwhile been nominated as Commander of the Political Police Forces of all the federal states possible. The Prussian law about the Secret State Police, dated 10 Feb 1936, then summed up the developments hitherto and determined the position and responsibilities of the Secret State Police in the executive regulations issued the same day.

A new decisive chapter of the development began with the appointment of the Reichsfuehrer SS as Chief of the German Police by means of the Decree of the Fuehrer mentioned above dated 17 June 1936, and the nomination which followed of SS Gruppenfuehrer Maj Gen HEYDRICH, who up to then, had been Chief of the Secret State Police Bureau and Chief of the Central Security Bureau of the SS, as Chief of the Security Police (Secret State Police and Criminal Police). The term "Secret State Police" was decreed by the Reichsfuehrer SS and Chief of the German Police on 28 August 1936 in the process of establishing uniformity for all the political police forces of the federal states and their organization adapted to the one existing in Prussia by the creation of State Police (Direction) Bureaus. The Chiefs of the State Police (Direction) Bureaus assumed the functions of the political executive with the current "Oberpraesident" (later on also with the Reichs Governor (Reichsstatthalter), that is the president of the Government ("Regierungspraesident), according to the decree of the Reich and Prussian Ministers of the Interior, dated 20 Sept 1936.

On the basis of these forms of organization and with the help of the powers bound up with them, the fight against the open and hidden political enemies of the National Socialist peoples State was taken up by the Secret State Police after the assumption of power and is still being tried on today. Its activity is not only limited to solving political crimes already committed or to seizing their perpetrators, but they are equally interested in the prevention of these crimes, thus eliminating these dangers for the community at their very start. Constant investigation and observation of the enemies of the State and quick action in the case of recognition or after commitment of the act, thus go hand in hand. The Secret State Police by carrying out these tasks, contributed decisively to the fact that the National Socialist construction work could be executed in the past ten years without any serious attempts of interference by the political enemies of the nation.

2. The Criminal Police.

The subordination of the Criminal Police of the Reich under the Chief of the Security Police, as decreed on 26 June 1936 became the fundamental basis for the uniform development throughout all Germany of the Criminal Police, which had been organized differently in all the federal states up to this time, namely for the establishment of the Reich Criminal Police in its present form of organization. The circular decree of 20 Sept 1936 stated the first fundamental regulations for the reorganization of the Criminal Police of the State, separating the Prussian state Criminal Police Bureau, in locality as well as function, from the Polizeipraesidium (Police Presidency) in Berlin and charging it with the professional direction of the Criminal Police of all the German federal states, State as well as communal. The Reich Central Bureau for the struggle against the international and professional criminals as well as against habitual instinctive criminals, which was attached to the State Criminal Police Bureau, was particularly characterized in the course of this process by its close relationship to the practices of the Criminal Police.

The whole territory of the Reich was simultaneously divided into Criminal Police (Direction) Bureaus on the basis of criminal geographical delineation of spheres of competence in place of the State Criminal (Police) offices. The new spheres occasionally combined several criminal police offices. Insofar as Criminal Police District Offices are not affiliated to State Police Administrative Offices, local duties falling within criminal police jurisdiction are to be taken care of by the crime sections of these State Police Administrative Offices.

In the course of further organizational development, the title of Reichskriminalpolizeiamt (Reich Criminal Police Bureau) was conferred on the Prussian State Criminal Police Bureau through a decree of 16 July 1937. This bureau was directly subordinated to the Chief of Security Police.

This newly created organizational system rendered possible the successful activity of the German Criminal Police, which also became increasingly more perfect in technical fields. From then on Criminal Police did not limit itself to repressive activity, but paid much attention to preventive combatting of crime on the basis of national protective ideology. The correctness of planning and development is demonstrated most clearly in the decline of criminality in the subsequent period.

3. The Security Service of the Reichsfuehrer SS (SD).

Recognizing that accurate knowledge of the enemy, of his methods and aims, is one of the most important bases of any successful struggle, the Reichsfuehrer SS created an intelligence service organization as early as 1932 under the then SS-Standartenfuehrer (Colonel) Reinhard HEYDRICH. From the beginning members of the SS were the full-time agents of the SD, which had emerged from the SS.

After the seizure of power the leaders of the National-Socialist Movement felt the necessity for current objective information about newsworthy

H1239-0139

events. This caused the NSDAP to issue an ordinance on 9 June 1934 which merged all information facilities then existing within the Party organization with the SD, and declared the latter to be sole Party information service. The original task of intelligence coverage of the enemy was thereby expanded to general intelligence activity.

In the course of the development as a whole, an increasingly closer cooperation of the SD with the offices of the Security Police resulted as a matter of course. The successful combatting of all activity hostile to the state by the Security Police can be traced back to a considerable extent to the intelligence groundwork of the SD. In addition the field of activity of the SD was progressively expanded, because top Reich authorities delegated to the SD in a series of agreements the task of informing these authorities about the effects of official measures upon popular morale. These agreements also regulated the details of cooperation between these top Reich authorities and the SD. Today the exploration of the situation in all fields of life from the information point of view is incumbent upon the Security Service (SD) of the Reichsfuehrer SS, with special consideration of the morale factors and repercussions among the population. The results of its variegated and responsible activity transmit an objective, always up-to-date picture of the situation to the leading authorities of Party and State. In addition they form valuable hints for current planning of the competent authorities.

The organizational structure within which the SD became active during the first years of its existence and was headed by the Chief of the Sicherheitshauptamt (Main Security Bureau) of the SS, to whom in turn the SS-Oberabschnitte and SD-Unterabschnitte (regional sub-divisions) were subordinate. The elimination of SD-Oberabschnitte in September 1939 resulted in direct functional connection between the SD-Abschnitte, as the regional sub-divisions were now termed, and the Sicherheitshauptamt (Main Security Bureau) as central authority. The current close personal and organizational connection between the SD and the Security Police resulted from the Decree of the Reichsfuehrer SS and Chief of German Police, dated 27 September 1939. This Decree amalgamated the central authorities of the security police and of the SD, and vested it in the newly-created Chief of Security Police and SD, and above him in the Reichssicherheitshauptamt (Reich Main Security Bureau). Since that time the SD-(Leit)-Abschnitte and their subordinate offices have been under the jurisdiction of the Reichssicherheitshauptamt (Reich Main Security Bureau).

The above description of the history of the Secret State Police (Gestapo), of the Criminal Police and of the Security Service (SD) of the Reichsfuehrer SS only recounts the external stages of development. It can express only incompletely the great degree of personal initiative and unlimited National-Socialist prowess in work and organization which was brought to bear by the authoritative leadership personalities in building up the undertaking. However, the result of this concentrated effort is such that in these decisive times an apparatus was created on an entirely new basis which was from the beginning a necessary and effective instrument in the hands of the nation's leadership and proved that it is capable of protecting the national community against protracted interference with communal life. It is obvious that these entire tasks could be handled only by men who are deeply rooted in National Socialist ideology, and who are ready to devote not only their total working capacity, but also their life, to the comprehensive realization of the National Socialist idea in the course of the fulfilment of their duties which is frequently dangerous. Because of this, and according to the wish of the Reichsfuehrer SS and of their late Chief, SS-OBERGRUPPENFUEHRER (General) Heydrich, it is the duty of the Security Police and of the SD not only to form a perfectly working administrative machinery, but in addition it is their duty to form a battle community sworn to a common ideology and brotherhood. The currents of strength generated by this battle community in fulfilling its difficult task of continuous combatting of everything inimical to the nation, a task which has to be accomplished in inglorious silence, shape the National Socialist idea ideologically. These currents of stronght also shape the basic law of the SS, from the members of which Security Police and SD are recruited in increasing measure. Tangibly they shape the continuous work in thoroughly training the individual. Ideological schooling, comradeship, professional education and physical fitness are inculcated without cease; they take up a prominent position side by side with the professional daily

H1239-0140

routine proper, especially in the schools of the Security Service and the SD established for these purposes.

Trained in such a manner, Security Police and SD could do justice even to the great additional requirements, which the four year battle for the living rights of the German people brought in its train. Inall battle areas, and in all occupied territories, the men of the Security Police and of the SD stand side by side with the Armed Forces. In a struggle full of sacrifice they devote all their strength to keep the rear of the front free, and to help make secure German reconstruction in occupied territory. In the offices of the home front, on the other hand, the men employed make certain that the fight for life of the German people is not impaired by criminal elements. Through increased effort they equalize the additional tasks and the additional work, which are necessitated by the war as such and especially by the reduced number of personnel due to drafting of men for front-line duty. All faithful to the words of the Reichsfuehrer SS, to do more than their duty in time of war.

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H1239-0142

TRANSLATION OF DOCUMENT 1696-PS
OFFICE OF U.S. CHIEF OF COUNSEL

THE REICHSMINISTER OF THE INTERIOR

IV g 4178 /39-5100

Berlin, 16 November 1939
NW 40, Königsplatz 6.

Telephone:
Dept. Z, I, II, V, VIII
11 00 27
Dept. II, IV, VI
(Unter den Linden 72);
12 00 34
Tel. Address:
Reichsinnenminister.

To the Head of the
Hospital(for Mental cases)

Kaufbeuren

or his Deputy in
Kaufbeuren.

With regard to the necessity for a systemised economic plan for Hospitals and Nursing Institutions, I request you to fill up the attached Registration Forms immediately, in accordance with the attached instructional leaflet, and to return them to me. If you yourself are not a doctor the Registration Forms for the individual patients are to be filled in by the ~~superintending~~ superintending doctor. The filling up of the questionnaires is, if possible, to be done on a typewriter. In the column "Diagnosis" I request a statement as exact as possible, also a short description of the condition if feasible.

In order the expedite the work, the registration forms for the individual patients can be despatched here in several parts. The last consignment must, however, in any case have arrived at this Ministry at the latest on 1 January 1940. I reserve for myself the right, should occasion arise, to institute further official enquiries on the spot through my representative.

p.p. (Sd.) DR. CONTI

Certified:

(Sd.) Illegible

Administrative Secretary.

H1239-0143

TRANSLATION OF DOCUMENT 1696-PS
OFFICE OF U S CHIEF OF COUNSEL
(CONT'd)

Registration Form 1 — To be typewritten.

Current No .....

Name of the Institution: .....

at: .....

Surname and Christian name of the patient: ..... at birth ...

Date of birth: ..... Place: .....District: .....

Last place of residence: ..... District: .....

Unmarried, married, widow, widower, divorced: ..... Religion ..... Race*.....

Previous profession: ..... Nationality: ..... Army Service when? 1914-18 or from 1.9.39 .....

War injury (even if no connection with mental disorder) Yes/ No .....

How does war injury show itself and in what does it consist? .....

Address of next of kin: .....

Regular visit and by whom (Address): .....

Guardian or nurse (Name, address): .....

Responsible for payment: ..... Since when in that Institution .....

---

* German or of similar blood (of German blood), Jew, Jewish mixed breed Grades I or II, Negro (mixed breed.)

H1239-0144

Whence and when handed over ..... Since when ill:.....

If has been in other Institutions, where and how long:.....

Twin yes ..... Blood relations of unsound
no mind: .....

Diagnosis .....

Clinical description (Previous history, course, condition; in
any case ample data regarding mental condition).....

.....

Very restless? yes ..... Bedridden? yes .....
no no

Incurable bodily illness: yes (which) .....
no

Schizophrenia: Fresh attack .. Final Condition .....
good recovery .....

Mental debility: weak ..... Imbecile ..... Idiot .....

Epilepsy: psychlogical alteration ..... Average frequency
of the attacks ..

Therapeutics (Insulin, Cardiazol, Malaria, Permant result: yes
Salvarsan etc. When?) ..... no.,

Admitted by reason of para 51, para. 42b StrGB etc .....
through .....

Crime: ..... Former punishable offences: .....

Manner of employment (detailed description of work): .....

Permanent Employment, independent worker Yes .....
Temporary No

Value of work (if possible compared with average performance
of healthy person .....

This space to be left blank.

.....Place, Date .....

.....
Signature of the head doctor or his representative (doctors who are not psychiatris and neurologists please state same).

H1239-0145

TRANSLATION OF DOCUMENT 1696-PS
OFFICE OF U S CHIEF OF COUNSEL
(CONT'd)

PUBLIC UTILITY

AMBULANCE TRANSPORTATION G.m.b.H.
Dept. II/d, H/K

Berlin, W. 9.
12th. May, 1941

To the Director of the Hospital
of the District association of Swabia,
Kaufbeuren/Bavaria.

Potsdamer Platz 1.

Dear Director,

By order of the Reich Defence Commissioner I must remove mental cases from your institution and from the Branch at Irrsee to another institution. A total of 140 persons are to be transported, 70 on 4th. June and 70 on 5th. June. I forward you herewith Transport Lists Nos. 8,9,10 and 11 in triplicate. The additional names on the lists are intended for possible deficits (discharged meanwhile, died, etc.)

The marking of the patients is most suitably done by means of a strip of adhesive tape, on which the name is written in ink-pencil, to be pasted between the shoulder blades. At the same time the name is to be put on an article of clothing.

The hospital reports and personal histories are to be prepared for the transportation and to be handed to our Director of Transport, Herr Küpper, in the same way the personal possessions of the patients, as well as money and articles of value.

I enclose property information cards and information cards as to the defrayer of the expenses, which, accurately filled out, must be handed in at the time of transportation. Money and articles of value, besides being noted on the property information cards, must also be noted on separate special lists (in duplicate).

Transportation takes place:

On 4th. June, 8.46 a.m. from Kaufbeuren - 70 patients
" 5th. " " " - 70 patients

H1239-0146

Our director of transport , Herr Küpper, will visit you the previous day, in order to discuss further details with you.

I further request you to provide the patients with food (2-3 slices of bread and butter each and some cans of coffee).

(Pencil note illegible)

Heil Hitler!

(sd.) Illegible

Public Utility Ambulance Transportation G.m.b.H.

H1239-0147

TRANSLATION OF DOCUMENT 1696-PS
OFFICE OF U S CHIEF OF COUNSEL
(CONT'd)

PROVINCIAL ASSOCIATION FOR SOCIAL WELFARE?

SWABIA.

Address: Augsburg 1, P.O. Box Regierungspräsident

Tel No. 5842

Cashier's Office: Principal Govt.
Cashier's Office Augsburg.
Post Office check account:
Munich No. 1624

Enclosures:

Director
Dr. Faltlhauser,
of the Hospital,

Kaufbeuren.

Your reference: 2080. Your letter of 13.11.40. Our ref. (to be given always) II-B-7-2.

Augsburg, 6.5.1941

Concerning the transfer of patients.

I have the honour to inform you that the female patient transferred from your institution on 8.11.1940 to the institutions in Grafeneck, Bernburg, Sonnenstein and Harthein all died in November of last year.

(Sd.) Illegible.

Copy.

No. 5255 c 39
MINISTRY
OF STATE OF THE INTERIOR.

Munich,
24th. November 1942

Oberregierungsrat Gaum.

to the Director of the
Hospital, Kaufbeuren,
Obermed.Rat
Dr. Faltlhauser.

To

Head Physician Dr. W. Leinisch
Günzburg.

Re letter of 13. 11. 1942.

Dear Doctor,

In your letter of 13.11.1942 you requested me to send suitable epileptics for the carrying out of your research work. I had an opportunity of discussing this with the Obermedizinalräten Dr. Faltlhauser and Dr. Pfannmüller. Both will willingly deliver you suitable patients. For various reasons patients from the Institution at Kaufbeuren are primarily to be chosen. If this institution has no suitable material, I agree to the transfer of patients from Eglfing-Haar to Günzburg for your research work. I request you to get into touch with Dr. Faltlhauser

Heil Hitler!

(Sd.) GAUM.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1696-PS

10, December 1945

I, I, CATHERINE BEDFORD, 110561, hereby certify that I am thoroughly conversant with the English and German language; and that the above is a true and correct translation of Document 1696-PS.

CATHERINE BEDFORD
110561

TRANSLATION OF DOCUMENT 1723-PS
OFFICE OF U S CHIEF OF COUNSEL

H1239-0149

EXTRACT FROM VERFUEGUNGEN
ANORDNUNGEN BEKANNTGABEN
P.430-39

Security Police

Cooperation of the Party offices with the Secret State Police (Gestapo).

In a summary of all the previously issued decrees on the cooperation between the Party and the Gestapo I refer to the following and ordain:

1. To the Gestapo has been entrusted the mission by the Fuehrer to watch over and to eliminate all enemies of the Party and the National Socialist State as well as all disintegrating forces of all kinds directed against both. The successful solution of this mission forms one of the most essential pre-requisites for the unhampered and frictionless work of the Party. The Gestapo, in their extremely difficult task, is to be granted support and assistance in every possible way by the NSDAP. The supervision of the Party itself does not come under the jurisdiction of the Gestapo.

I prohibit all offices of the Party, its organisations and associated groups to conduct investigations and interrogations regarding affairs which concern the Gestapo only. All occurrences of a political criminalistic nature are to be reported without prejudice along Party channels and as ever brought to the knowledge of the Gestapo immediately.

2. The secret state police must report automatically all occurrences of a criminal nature, even if it includes Party Members, to the responsible public prosecutor according to the laws of the National Socialist State, in force for all nationals. In such cases, the State police offices will notify, as before, the county and Gauleiters concerned, of the reports made to the public prosecutor. Reports will include reasons for the incidents. In the interest of the movement the functionaries (Hoheitstrager) are obliged to suspend, if necessary, the party members, after contacting the responsible Party Court; the latter will hold a public hearing, to decide on the temporary suspension.

Invitation of the leaders of offices in the Security Police and the Security Service to attend Party meetings.

In order to establish closer connections between all the offices of the Party and their organisations and the office leaders of the Security Police and SD, the leader of the Party Chancellory asks that they should be invited in the future to all large official meetings of the Party.

The taking over of political offices by officials of the Gestapo

The Secret State Police has the mission to safeguard the unhampered development of all forces active in the party and released by it in the National Socialistic State.

Since it is still in a state of being organised and the available officials and employees are very much in demand they are only to be employed in order to take over positions in the Party in as much as it is compatible with their official duties in the Secret State Police.

I, therefore, ask to check in every single case and in close harmony with the department of the Secret State Police concerned, whose leader welcomes the taking over of political functions by officials and employees of the Secret State Police, whether the transfer of political missions into the Party can be justified

in the interest of the official obligations of the Secret State Police.

Presentation to the State Police upon request by Party offices

The Chief of the Security Police and SD has issued the annexed decrees of 29 March 1940 and 4 November 1940. It is ordered herewith that departments of the Secret State Police will be obliged to execute the presentation request when the same emanates from the Reichsleiters or the Gauleiters. If the request for presentation originates from subordinate departments of the party it will only be granted if particular interests of the State Police seem to warrant a presentation.

In the future the county (Kreis) administration and local (ORT) administrations are to direct all requests through the district (Gau) administration to the responsible department of the Secret State police.

H1239-0150

Berlin, 29 March 1940

The Chief of the Security Police and SD

I A 1 NR. 102/40 - 176

To all State police departments

By way of information to the Inspectors of the Security Police and SD.

Subject: Presentation to the State Police upon request by Party offices.

Repeated requests by Party offices for presentation to the State Police of Volksgenossen who did not heed the summons of the Party offices, cause the following regulation to be decreed:

1. If the district administration makes the request the same is to be granted as long as no important interests of the State Police interfere.

2. If a party office subordinate to the district administration requests the presentation, the same has to be denied in as far as no important interests of the State Police seem to warrant a presentation.

Signed: HEYDRICH

Verified: SCHOENBRUNN OF THE CHANCELLORY

H1239-0151

1723-PS

The Chief of the Security Police and SD

IB 1 NR 763/40 - 151 Berlin SW 11 4 November 1940

To All State Police Departments

By way of information

to the Inspectors of the Security Police and SD

SUBJECT: Presentation to State Police upon request of Party Offices

Reference: Decree of 29 March 1940 IA 1 NR 102/40 - 176

In supplement to my decree of 29 March 1940 I order that presentation requests by Reichsleiters be granted in so far as important interests of the State Police do not interfere.

Signed: HEYDRICH

H1239-0153

Protective Custody

Protective custody must be viewed as the strongest measure in order to impressively instruct the Volksgenossen, who maliciously neglect their duties toward the community or endanger the security of the State, that they have to conform themselves to the universal interests and to adapt themselves to State discipline. Therefore it should only serve as a means of combatting real enemies of the Reich, but should never be used for the clarification or punishment of different or insignificant offenses.

An excessive use of protective custody, as well as its infliction without previous indisputable clarification of the state of affairs and the question of guilt, is neither justified with regard to the future of the one involved nor with respect to the reduction of its moral effect.

Therefore it must be expected that protective custody is only to be employed in really pressing and substantial cases.

I request that the county leaders be instructed orally to avoid any written communications; special emphasis on secrecy.

Protective Custody (Regulations)

Through the circular of the 25 January 1938, the Reich Minister of the Interior has issued new regulations regarding the introduction of protective custody. In the following, I announce the wording of this decree for confidential information.

The Reich Minister of the Interior Berlin 25 Jan. 1938

The following regulations regarding protective custody go into effect on the 1 February 1938. At the same time, these are rescinded:

a. My decree of 12 April 1934 - I 3311 A/28.2 along with the supplement of 26 April 1934 and 10 July 1934 (directed to governments of the states and to the Reich statthalters).

b. My decree of 12 April 1935 - VI B 757A/3014 along with the supplementary decree of 1 June 1935 VI B 11568/3014 (directed to the governments of the states, Reichstatthalter, Prussian presidents of government districts).

c. My decree of 17 June 1935 - III P 3311/329 (directed to the state government and the Reichstatthalter.

d. The decree of office of Secret State Police of 3 July 1934 - B Nr. 19583 II I D (directed to the presidents of the Prussian government districts).

e. The decree of the Political Police Commander of the Lands of the 9 Sept 1935 - B. Nr. 37840/35 II 1 D (directed to the Political police of the states and the Prussian State Police offices).

Article I

Admissibility

Protective custody can be decreed as a coercive measure of the Secret State Police against persons who endanger the

H1239-0154

security of the people and the state through their attitude, in order to counter all aspirations of enemies of the people and state.

Protective Custody shall not be decreed for penal purposes or as a substitute for punitive arrest. Punishable offenses have to be decided finally by the courts.

Article 2

Competence

1. The Secret State Police exclusively is competent for the application of protective custody.

2. Motions in behalf of the application of protective custody have to be directed to the Secret State police through the State police offices. Every motion has to be substantiated in detail; the statements of the arrested person have to be considered in it. A copy of the hearing of the person temporarily apprehended has to be forwarded immediately.

3. Protective custody may only be inflicted if the accused has previously had a hearing on offenses imputed to him.

Article 3

Temporary Arrest

1. The Secret State police bureau, the offices of the State police director and of the State Police are authorized under the provisions of par 1 to order the temporary arrest of persons:

a. If it is feared that the freedom will be abused for activities hostile to the state.

b. If danger of under-cover activities exists.

c. If there is suspicion of escape.

2. The accused has to be notified at the latest within 24 hours after the arrest. He is to be heard on the grounds for the infliction of the temporary arrest according to protocol.

3. A temporarily arrested person has to be released at the latest after an elapse of 10 days from the day of apprehension if the Secret State police bureau has in the meantime not decreed protective custody (5).

.....

Article 6

Execution

The protective custody has to be executed generally in the State Concentration Camps.

Article 7

Duration

1. Protective custody shall only be upheld as long as it serves its purpose.

2. The Secret State police bureau authorizes release from protective custody. For that reason the bureau investigates periodically but not exceeding 3 months, whether the protective custody should be cancelled. The release must have taken

H1239-0155

place, at the latest, on the third day after the lifting of the protective custody.

Article 8

Foreigners

As a matter of principle deportation proceedure has to be carried out against foreigners who have been taken into protective custody unless particular reasons interfere.

Article 9

Executory Regulations

The Chief of the Security Police issues the necessary regulations for the execution.

5 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1723-PS

FRED NIEBERGALL
2nd Lt Inf
O-1335567

TRANSLATION OF DOCUMENT 1770-PS
OFFICE OF U S CHIEF OF COUNSEL

H1239-0156

1933 REICHSGESETZBLATT, PART I, PAGE 161

Law concerning Factory Representative Councils and Economic Organizations of 4 April 1933

Gesetz über Betriebsvertretungen und über wirtschaftliche Vereinigungen vom 4. April 1933

The Reich Cabinet has decided the following law which is hereby made public:

Chapter I

Factory Representative Councils

Article 1

1) The Highest Authority of the Federal State can postpone the elections for the Legal Factory Representative Council for the Federal State, parts of the Federal State or for individual enterprises until 30 September of this year at the latest for reasons of public safety and order.

2) The Factory Representative Council existing up to date remains in office in the case of postponement of the elections. Filling of vacancies in Factory Representative Councils caused by dismissal of members is only necessary if the number of its members has fallen below half of the legal number of members or if they number less than three. The new members of the Factory Representative Council required for its minimum strength will be nominated from the eligible workers by the highest authority of the Federal State or the authority appointed by it.

Article 2

The highest authority of the Federal State can cancel the membership of members who have been appointed contrary to the spirit of State and economy (die in staats- oder wirtschaftsfeindlichem Sinne eingestellt sind). It can appoint new members for the Factory Representative Councils from the eligible workers to replace the eliminated members.

Article 3

The afore-mentioned regulations will be applied accordingly to the "United Factory Councils", created according to Article 50 of the Factory Council Law and to the "Special Representations" formed according to Articles 61 and 62. Article 93 of the Factory Council Law will not be applicable in the case of disputes concerning the execution of the above-mentioned regulations.

Article 4

The competent highest Reich authorities will be appointed to exercise the powers for the highest authority of the Federal State contained in Chapter I, in the case of the administrations and enterprises of the Reich, including the German Railroad Company and the Reichsbank.

Article 5

The regulations contained in Article 1, para. 2 and Article 2, 2nd sentence are also applicable to measures taken before the effectiveness of this law.

Chapter II

Dismissal of Workers

The right to oppose dismissal of a worker contained in Article 84 of the Factory Council Law is not applicable if the dismissed is suspected of an unfriendly attitude towards the State. The worker can appeal within

a week to the authority declared competent according to Chapter I, Article 2. That authority decides, after hearing all those concerned, whether the suspicions are justified or not. The dismissal is cancelled if its findings are negative.

H1239-0157

Chapter III

Representation of Economic Organizations within the Miners Insurance (Versicherung)

Article 1

Article 184, Article 157, sentences 2 and 3 and Article 180, part 3 of the Reich Mining Law are hereby revoked.

Article 2

The Reich Labor Minister can charge members of the insurance or mine supervision authorities, as commissioners (Kommissare) with the tasks of the instances which are in office at the time; the commissioners are under the authority of the Reich Labor Minister.

Chapter IV

Legal Representation before the Labor Court

The following part 3 is added to Article 11 of the Labor Court Law:

The Reich Labor Minister can, in agreement with the Reich Economy Minister and the Reich Minister of Justice, put other organizations on the same level for legal representation as the organizations named in parts 1 and 2.

Chapter V

Directives of Execution

The Reich Labor Minister has the power to issue legal decrees and general administrative directives in order to insure the execution of the Regulations of this Law; he is authorized to change regulations of the Reich Mining Law in order to adapt them to the decrees of Chapter III of this Law.

Berlin, 4 April 1933

The Reich Chancellor
Adolf Hitler
The Reich Labor Minister
Franz Soldte
The Reich Minister of the Interior
Frick
For the Reich Minister of Justice,
The Reich Minister of Finance
Count Schwerin von Krosigk
The Reich Minister of Economy
Hugenberg

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 1770-PS

18 October 1945

I, WILLARD EVANS SKIDMORE, Lt (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 1770-PS.

WILLARD EVANS SKIDMORE
Lt (jg) USNR
391590

1816-PS

STENOGRAPHIC REPORT

OF THE MEETING ON "THE JEWISH QUESTION"

UNDER THE CHAIRMANSHIP OF FIELD MARSHALL

GOERING

IN THE REICHS AIR FORCE

(12 November 1938--11 O'clock.)

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1816-PS

H1239-0159

Stenographic Report on a part of the Conference on the Jewish Question under the presidency of Fieldmarshall Goering at the Reich Ministry for Air on 12 November 1938--11 O'clock.

Goering: Gentlemen! Today's meeting is of a decisive nature. I have received a letter written on the Fuehrer's orders by the Stabsleiter of the Fuehrer's deputy Borman, requesting that the Jewish question be now, once and for all, coordinated and solved one way or another. And yesterday once again did the Fuehrer request by phone for me to take coordinated action in the matter.

Since the problem is mainly an economic one, it is from the economic angle that it shall have to be tackled. Naturally a number of legal measures shall have to be taken which fall into the sphere of the Minister for Justice and into that of the Minister of the Interior; and certain propaganda measures shall be taken care of by the office of the Minister for Propaganda. The Minister for Finance and the Minister for Economic Affairs shall take care of problems falling into their respective resorts.

In the meeting, in which we first talked about this question and came to the decision to aryanize German economy, to take the Jew out of it, and put him into our debit ledger, was one in which, to our shame, we only made pretty plans, which were executed very slowly. We then had a demonstration, eight here in Berlin, we told the people that something decisive would be done, but again nothing happened. We have had this affair in Paris now, more demonstrations followed and this time something decisive must be done!

Because, Gentlemen, I have enough of these demonstrations! They don't harm the Jew but me, who is the last authority for coordinating the German Economy.

If today, a Jewish shop is destroyed, if goods are thrown into the street, the insurance company will pay for the damages, which the Jew does not even have-; and furthermore goods of the consumer goods belonging to the people, are destroyed. If in the future, demonstrations which are necessary, occur, then, I pray, that they be directed, so as not to hurt us.

Because it's insane, to clean out and burn a Jewish warehouse then have a German insurance company make good the loss. And the goods which I need desperately, whole bales of clothing and what not, are being burned; and I miss them everywhere.

I may as well burn the raw materiels before they arrive. The people of course, do not understand that; therefore we must make laws which will show the people once and for all, that something is being done.

I should appreciate it very much if for once, our propaganda would make it clear that it is unfortunately not the Jew who has to suffer in all this but the German Insurance Companies.

I am not going to tolerate a situation in which the Insurance Companies are the ones who suffer. Under the authority invested in me, I shall issue a decree, and I am, of course, requesting the support of the competent Government Agencies, so that everything shall be processed through the right channels, and the Insurance Companies will not be the ones who suffer.

It may be, though, that these Insurance Companies may have insurance in Foreign countries- If that is the case, foreign bills of exchange would be available which I would not want to lose. That shall have to be checked. For that reason, I have asked Mr. HILGARD of the Insurance company, to attend, since he is best qualified to tell us to what extent the insurance companies are protected against damage, by having taken out insurance with other companies. I would not want to miss this, under any circumstances.

I should not want to leave any doubt, Gentlemen, as to the aim of today's meeting. We have not come together merely to talk again but to make decisions, and I implore the competent Agencies to take all measures for the elimination of the Jew from German economy and to submit them to me, as far as it is necessary.

The fundamental idea in this program of elimination of the Jew from German Economy is first, the Jew being ejected from the Economy transfers his property to the State. He will be compensated.

H1239-0160

The compensation is to be listed in the debit ledger and shall bring a certain percentage of interest. The Jew shall have to live out of this interest. It is a foregone conclusion, that this aryanizing, if it is to be done quickly, cannot be made in the Ministry for Economy in Berlin. That way, we would never finish.

On the other hand, it is very necessary to have safety precautions so that the lower echelons, Stassholser, and Gauleitern- will not do things unreasonably. One must issue correction directives, immediately.

The Aryanizing of all the larger establishments, naturally, is to be my lot,-the ministry for economy will designate, which and how many there are-; it must not be done by a Statthalter or his lower echelons, since these things reach into the export trade, and cause great problems, which the Statthalter can neither observe, nor solve from his place.

It is my lot, so that the damage will not be greater than the profit, which we are striving for.

It is obvious, Gentlemen, that the Jewish stores are for the people, and not the stores. Therefore, we must begin here, according to the rules previously layed down.

The Minister for Economic Affairs shall announce which stores he'll want to close altogether. These stores are excluded from aryanizing at once. Their stocks are to be made available for sale in other stores; what cannot be sold, shall be processed through the "Winterhilfe" or taken care of otherwise. However, the sales values of these articles shall always be considered, since the State is not to suffer but should profit through this transformation. For the Chain and Department Stores- I speak now only of that, what can be seen, certain categories have to be established, according to the importance of the various branches.

The trustee of the State will estimate the value of the property and decide what amount the Jew shall receive. Naturally, this amount is to be set as low as possible. The representative of the State shall then turn the establishment over to the "ARian" proprietor, that is, the property shall be sold according to its real value.

There begins the difficulties. It is easily understood that strong attempt will be made to get all these stores to Party-members and to let them have some kind of compensations. I have witnessed terrible things in the past; little chauffeurs of Gauleiters have profited so much by these transactions that they have now about half a million. You, Gentlemen, know it. Is that correct?

(Assent)

Of course, things like that are impossible. I shall not hesitate to act ruthlessly in any case where such a trick is played. If the individual involved is prominent, I shall see the Fuehrer within two hours and report to him.

We shall have to insist upon it, that the Arian taking over the establishment is of the branch and knows his job. Generally speaking he is the one who must pay for the store with his own money. In other words, an ordinary business-transaction is to be sought-one merchant selling, the other one buying a business. If there are party members among the contenders, they are to be preferred, that is if they have the same qualifications: first shall come the one who had the most damage, and secondly, selection should be according to length of Party membership.

Of course, there may be exceptions. There are party-members who, as may be proven, lost their business concessions by action of the Schuschnigg or Prague Government, and so went bankrupt. Such a man has naturally first option on a store for sale, and he shall receive help if he does not have the means to help himself. The trustee of the State can justify this help, if he is more business like in the transfer. This party-member should have the chance to buy the store for as cheap a price as possible. In such a case the state will not receive the full price, but only the amount the Jew received. Such a buyer may even receive a loan, besides, so that he will get off to a good start.

H1239-0161

I wish to make it clear that such a proceeding shall only be legal if the Party-member has once owned such a store. For example, a Party-member was the owner of a Stationary store, and Schusdnigg took away the concession to operate it so that the man lost the store and went bankrupt. Now, if a Jewish Stationary store is being aryanized, this party-member should get the store on conditions whixh he'll be able to fulfil. Such a case shall be the only exception though, in all other cases the procedure shall be of a strictly business-like nature whereby the Party-member, like I said before, shall have the preference, if he has the same qualifications as any other candidate, who is not a member of the party.

When selling for the actual value we shall find only about 60 Arians ready to take over 100 Jewish stores. I don't think that we have a German for every Jewish store. You must not forget that the Jew sees his main activity in the field of trade, and that he owns 90% of it. I doubt that we'd have a demand big enough. I even doubt that we'd have enough people, particularly now since everybody has found his field of work.

Therefore, I ask the Minister for Economy to go beyond what we think ought to be done for the sake of the principle, in liquidating the establishments-I ask him to go further, even though there won't be any candidates. That'll be perfectly alright.

The transfer of stores and establishments shall have to be esecuted by the lower echelons, not through Berlin but through the Gaue and through the Reichstatthalterschaft. Therein shall be the seat of the members of the Board of Trustees, even if it consists of a few people only. The Statthalter and his people cannot do this job; the trustees will have to tackle it. But the Statthalter shall be the authority which supervises, according to the regulations given him, the Trustees, particularly in dealings such as the transfer to Party-members.

Naturally, these establishments cannot disappear all at once but we'll have to start by Monday, in a manner that shall make it obvious that a change has begun to materialize. Besides that, certain stores could be closed which will make things here easier.

Another point! I have noticed that Arians took over a Jewish store and were then so clever to keep the name of the Jewish store as "formerly", or kept it altogether. That must not be; I can no permit it. Because it may happen-what has just happened-stores were looted because their sign-boards bore Jewish names-because they had once been Jewish, but had been "aryanized" a long time ago. Names of former Jewish firms shall have to disappear completely, and the German shall have to come forward with this or his firm's name. I ask you to carry this out quite definitely. That much then regarding aryanizing of stores and wholesale establishments, particularly in regards to sign-boards and of all that is obvious!

Of the consequences resulting from this for the Jew, I shall speak later, because this is connected with other things.

Now for the factories. As for the smaller and medium ones, two things shall have to be made clear.

1) Which factories do I not need at all, which are the ones where productions could be suspended? Could they not be putto another use? If not, the factories will be razed immediately.
2) In case the factory should be needed, it will be turned over to Arians in the same manner as the Stores. All these measures have to be taken quickly, since Arian employees are concerned everywhere. I'd like to say right now that Arian employees shall have to be given employment immediately after the Jewish factory is closed. Considering the amount of labor we need these days, it should be a trifle to keep these people, even in their own branches.
As I have just said; if the factory is necessary, it will be aryanized. If there is no need for it, it being abandoned shall be part of the procedure of transforming establishments not essential, for our national

welfare into one that is essential for it,-a procedure that shall take place within the next few weeks. For it, I shall still need very much space and very many factories.

If such a factory is to be transformed or razed, the first thing to be done is check the equipment. The questions arising will be: Where can this equipment be used? Could it be used after the place is transformed? Where else might it be needed badly? Where could the machinery be set up again? It follows that aryanizing factories will be an even more difficult task than the aryanizing of stores.

Take now the larger factories which are run solely by a Jewish owner, without control by a Board of Directors; or take corporations where the Jew might be in the Supervisory Council or Board of Directors. There the solution is very simple: the factory can be compensated in the same manner as in the sale of stores and factories; that is, at a rate which we shall determine, and the trustee shall take over the Jew's interest as well as his shares, which he in turn may sell or transfer to the State, which will then dispose of them. So, if I have a big factory, which belonged to a Jew or a Jewish corporation, and the Jew leaves, perhaps with his sons who were employed there, the factory will still continue to operate. Maybe a director will have to be appointed because the Jew has run the factory himself. But otherwise, particularly if the maintenance of the establishment is very essential everything will run smoothly.

Everything is very simple. I now have his shares. I may give them to some Arian or to another group or I may keep them. The State takes them over and offers them at the stock market, if they are acceptable there and if it so desires, or it makes use of them in some other way.

Now, I shall talk of the very big establishments, those in which the Jew is in the Board of Directors, in which he holds shares etc, and so is either the owner or one of the co-owners; in any case in which he is greatly interested. There too, things are comparatively simple; he delivers all of his shares which shall be bought at a price fixed by the trustee. So the Jew gets into the account book. The shares shall be handled like I've just explained. These cases can not be taken care of by the Gaue and Reichsstatthalter, but only by us here on top; because we are the only ones to decide where these factories are to be transferred to, how they may be affiliated with other establishments or to what an extent the State shall keep them or hand them over to another establishment belonging to the State. All this can only be decided here. Of course, will the Gauleiter and Statthalter be to glad to get hold of the shares, and they'll make great promises to beautify our capital cities etc. I know it all! It won't go! We must agree on a clear action that shall be profitable to the Reich.

The same procedure shall be applied where the Jew has a share in, or owns property of German Economy. I am not competent enough to tell off hand in what forms that might be the case, and to what an extent he'll have to lose it. Anyway, the Jew must be evicted pretty fast from German Economy.

Now, the foreign Jews. There we'll have to make distinctions between the Jews who have always been foreigners,-and who shall have to be treated according to the laws we arranged with their respective countries. But regarding those Jews who were Germans, have always lived in Germany and have acquired foreign citizenship during the last year, only because they wanted to play safe. I ask you not to give them any consideration. We'll finish with these. Or have you any misgivings? We shall try to induce them through slight and then through stronger pressure and through clever manoevering,-to let themselves be pushed out voluntarily.

Woermann: I'd like the Foreign Office to be included, since a generally valid decision could hardly be made

Goering: We cannot consult you in every case,-but on the whole we will.

H1239-0162

H1239-0163

Woermann: Anyway, I'd like to make known the claim of the Foreign Office to participate. One never knows what steps may become necessary.

Goering: Only for important cases! I do not like to take this category under special consideration. I have learned only now to what extent that has been done, particularly in Austria and Checkoslovakia. If somebody was a Check in Sudetenland, we do not have to consider him at all, and the Foreign Office doesn't have to be consulted because that person now belongs to us. And in Austria and also in Sudetenland, too many become all of a sudden Englishmen or Americans or what not -and generally speaking we cannot consider that a great deal.

(PART II IS MISSING)

(Part III)

Funk: That is quite a decisive question for us: should the Jewish stores be re-opened?

Goebbels: If they will be re-opened is another question. The question is will they be restored? I have set the dead line for Monday.

Goering: You don't have to ask whether they'll be reopened. That is up to us to decide.

Goebbels : Number 2. In almost all German cities synagogues are burned. Now, various possibilities exist to utilize the space where the synagogues stood. Some cities want to build parks in their place, others want to put up new buildings.

Goering : How many synagogues were actually burned?

Heydrich: Altogether there are 101 synagogues destroyed by fire, 76 synagogues demolished, and 7,500 stores ruined in the Reich.

Goering : What do you mean "destroyed by fire"

Heydrich: Partly, they are razed, and partly gutted.

Goebbels: I am of the opinion that this is our chance to dissolve the synagogues. All those not completely intact, shall be razed by the Jews. The Jews shall pay for it. There in Berlin, the Jews are ready to do that. The synagogues which burned in Berlin are being levelled by the Jews themselves. We shall build parking lots in their places or new buildings. That ought to be the criterion for the whole country, the Jews shall have to remove the damaged or burned synagogues, and shall have to provede us with ready free space.

Number 3:-I deem it necessary to issue a decree forbidding the Jews to enter German Theaters, movie houses and circuses. I have already issued such a decree under the authority of the law of the chamber for culture. Considering the present situation of the theaters, I believe we cannafford that. Our theaters are over crowded, we have hardly any room. I am of the opinion that it is n not possible to have Jews sitting next to Germans in Varietees, Movies and Theaters. One might consider, later on, to let the Jews have one or two movie-houses here in Berlin, where they may see Jewish movies. But in German theaters they have no business anymore.

Furthermore, I advocate that the Jews be eliminated from all positions in public life in which they may prove to be provocative. It is still possible today that a Jew shares a compartment in a

sleeping car with a German. Therefore, we need a decree by the Reich Ministry for Communications stating that separate compartments for Jews shall be available; in case where compartments are filled up, Jews cannot claim a seat; They shall be given a separate compartment only after all Germans have secured seats. They shall not mix with Germans, and if there is no more room, they shall have to stand in the corridor.

Goering: In that case, I think it would make more sense to give them separate compartments.

Goebbels: Not if the train is overcrowded!

Goering: Just a moment. There'll be only one Jewish coach. If that is filled up, the other Jews will have to stay at home.

Goebbels: Suppose, though, there won't be many Jews going on the express train to Munich, suppose there would be two Jews in the train and the other compartments would be overcrowded. Those two Jews would then have a compartment all themselves. Therefore, Jews may claim a seat only after all Germans have secured a seat.

Goering: I'd give the Jews one coach or one compartment. And should a case like you mention arise and the train be overcrowded, believe me, we won't need a law. We'll kick him out and he'll have to sit all alone in the toilet all the way!?

Goebbels: I don't agree. I don't believe in this. There ought to be a law. Furthermore, there ought to be a decree barring Jews from German beaches and resorts. Last summer----

Goering: Particularly here in the Admiralspalast very disgusting things have happened lately.

Goebbels: Also at the Wannsee-beach. A law which definitely forbids the Jews to visit German resorts!

Goering: We could give them their own.

Goebbels: It would have to be considered whether we'd give them their own or whether we should turn a few German resorts over to them, but not the finest and best, so we cannot say the Jews go there for recreation.

It'll also have to be considered if it might not become necessary to forbid the Jews to enter the German forest. In the Grunewald, whole herds of them are running around. It is a constant provocation and we are having incidents all the time. The behavior of the Jews is so inciting and provocative that brawls are a daily routine.

Goering: We shall give the Jews a certain part of the forest, and the Alpers shall take care of it that various animals that look damned much like Jews,- the Elk has such a crooked nose,-get their also and become acclimated.

Goebbels: I think this behavior is provocative. Furthermore, Jews should not be allowed to sit around in German parks. I am thinking of the whispering campaign on the part of Jewish women in the public gardens at Fehrbelliner Platz. They go and sit with German mothers and their children and begin to gossip and incite.

Goebbels: I see in this a particularly grave danger. I think it is imperative to give the Jews certain public parks, not the best ones- and tell them: "You may sit on these benches:" these benches shall be marked "For Jews only". Besides that they have no business in German parks. Furthermore, Jewish children are still allowed

H1239-0164

in German schools. That's impossible. It is out of the question that any boy should sit beside a Jewish boy in a German Gynnasium and receive lessons in German history. Jews ought to be eliminated completely from German schools; they may take care of their own education in their own communities.

Goering: I suggest that Mr. Hilgard from the Insurance Co. be called in; he is waiting outside. As soon as He'll be finished with his report, he may go, and we can continue to talk. At the time Gustloff died, a compensation for the damage Germany had suffered, was prepared. But I believe that at present we should not work it through rained taxes but with a contribution paid only once. That serves my purpose, better.

(Hilgard appears)

Mr. Hilgard: The following is our case. Because of the justified anger of the people against the Jew, the Reich has suffered a certain amount of damage. Windows were broken, goods were damaged and people hurt, synagogues burned etc. I suppose that the Jews, many of them are also insured against damage committed by public disorder etc.

(Hilgard:- "Yes"

If that is so, the following situation arises; the people, in their justified anger, meant to harm the Jew; but it is the German insurance companies that will compensate the Jew for damage. This situation is simple enough; I'd only have to issue a decree to that effect that damage, resulting from these risks, shall not have to be paid by the insurance companies. But the question that interests me primarily, and because of which I have asked you to come here, is this one; in case of reinsurance policies in foreign countries, I should not like to lose these, and that is why I'd like to discuss with you ways and means by which profit from reinsurance, possibly in foreign currency will go to the German economy, instead of the Jew. I'd like to hear from you, and that is the first question I want to ask: In your opeinion, are the Jews insured against such damage to a large extent?

Hilgard: Permit me to answer right away. We are concerned with three kinds of insurances. Not with the insurance against damage resulting from revolt or from risks. But with the ordinary fire-insurance, the ordinary glass-insurance, and the ordinary insurance against theft. The people, because of their contracts, who have a right to claim compensation are partly Jews, partly Arians. As for the fire-insurance they are practically all Jewish, I suppose. As for the department-stores, the victim is identical with the Jew, the owner and that applies more to the synagogues, except for neighbors to whose places the fire may have spread. Although the damage is done to the latter's property seems to be rather slight, according to the inquiries I made late last night.

As for the glass-insurance which plays a very important part in this, the situation is completely different. The majority of the victims mostly the owners of the buildings are Arians., the Jew has usually rented the store, a procedure which you may observe all over, for example on Keirfuerstendamin.

Goering: That is what we've said.

Goebbels: In these cases, the Jew will have to pay.

Goering: It doesn't make sense, we have no raw-materials. It is all glass imported from foreign countries and has to be paid for in foreign currency! One could go nuts.

Hilgard: May I draw your attention to the following facts; the glass for the shop-windows is not being manufactured by the Bohemian, but by the Belgian glass industry. In my estimation, the approximate money-value to which these damages amount is 6,000,000- that includes the broken glass, glass which we shall have to replace, mainly to Arians because they have the insurance policies.

Of course I have to reserve final judgement in all this, Your Excellency, because I have had only one day to make my inquiries. Even counting on about half of the 6,000,000 being spent in transacting the business-specialists from the Industry itself are more confident in this matter than I am, we might well have to import glass for approximately 3,000,000. Incidentally, the amount of the damage equals about half of a whole year's production of the Belgian glass industry. We believe that half a year will be necessary for the manufacturers to deliver the glass.

Goering: The people will have to be enlightened on this.

Goebbels: We cannot do this right now.

Goering: This cannot continue! We won't be able to last with all this. Impossible! Go on then! You suggest that the Arian is the one who suffers the damage; is that right?

Hilgard: Yes, to a large extent, as far as the glass-insurance goes.

Goering: Which would have to replace the glass.

Hilgard: Yes. Of course there are cases in which the Arian, the owner of the store is identical with the owner of the building. That is so with all department stores. In the case of the department store Israel, the owner is the Jew.

Goering: And now the third category.

Hilgard: Under this fall the victims of thievery.

Goering: I have to ask you a question. When all kinds of goods were taken from the stores and burned in the streets, would that also be thievery?

Hilgard: I don't think so.

Goering: Could that be termed as "Riot"?

Hilgard: That is just the question which we are unable to decide at this moment. Is it ordinary theft if entry into a dwelling or a container of any kind is forced and something is taken away?

Goering: That is a case of "Riot".

Hilgard: Riot does not mean much since we have very little insurance against damage caused by riots, these were discarded by us long ago.

Goering: But this here is "Rioting ". That is the legal term. There was no theft, and no individual broke into any place. But a mob rushes in and knocks everything to pieces., or "Public Disturbances"

Hilgard: Public disturbance. It is no riot.

Goering: Are they insured against damages caused by public disturbances?

Hilgard: No, no more. May I show this by an example. The most remarkable of these cases is the case MARGRAF Under Den Linden. The Jewelry store of MARGRAF, is insured with us through a so-called combined policy. That covers practically any damage that may occur. This damage was reported to us as amounting to 1,700,000 because the store was completely stripped.

Goering: Daluegue and Heydrich, you'll have to get me this jewelry through raids, staged on a tremendous scale!

H1239-0166

Saligue: The order has already been given. The people are being controlled all the time. According to reports, 150 were arrested by yesterday afternoon.

Goering: These things will otherwise be hidden. If somebody comes to a store with jewels and claims that he has bought them, they'll be confiscated at once. He has stolen them or traded them in alright.

Heydrich: Besides that, looting was going on in the Reich in more than 800 cases, contrary to what we supposed. ; but we have already several hundred people who were plundering, and we are trying to get the loot back.

Goering: And the jewels?

Heydrich: That is very difficult to say. They were partly thrown into the street and picked up there. Similar things happened with furiers, for example in Friedrichstrasse, district C, There the crowd was naturally rushing to pick up minks, skunks etc. It'll be very difficult to recover that. Even children have filled their pockets, just for fun. It is suggested that the Hitler-Youth is not to be employed and to participate in such actions without the Party's consent. Such things are very easily destroyed.

Daluegue: The Party should issue an order to the effect that the police will immediately recieve a report in case the neighbor's wife everybody knows his neighbor, has a fur coat altered or in case somebody appears wearing new rings or bracelets. We'd like the Party to support us here.

Hilgard: These damages are not covered by the policy, I believe. May I say a word in general about our liabilities and a "Potidum" of the Versicherungswirkschaft report. We'd like to make it our point, Mr. General Field Marshall, that we shall not be hindered in fulfilling the obligations for which our contracts call.

Goering: But I have to. That is important for me.

Hilgard: If I may give reasons for this request, I'd like to say that it simply has to do with the fact that we carry out, to a large extent, quite a number of international transactions. We have a very good international basis for our business-transactions, and in the interest of the equilibrium of the Foreign exchange in Germany, we have to make sure that the confidence in the German Insurance shall not be ruined. If we now refuse to honor clear-cut obligations, imposed upon us through lawful contract, it would be a black spot on the shield of honor of the German Insurance.

Goering: It wouldn't the minute I issue a decree, a law sanctioned by the State.

Hilgard: I was leading up to that.

Heydrich: The insurance may be granted, but as soon as it is to be paid, it'll be confiscated. That way we'll have saved face.

Hilgard: I am inclined to agree with what General Heydrich has just said. First of all, use the mechanism of the insurance company to check on the damage, to regulate it and even pay, but give the insurance company the change to:

Goering: One moment! You'll have to pay in any case because it is the Germans who suffered the damage. But there'll be a lawful order forbidding you to make any direct payments to the Jews. You shall

H1239-0167

H1239-0168

also have to make payment for the damage the Jews have suffered, but not to the Jews but to the Minister of Finance.
(Hilgard: Aha!)
What he does with the money is his business.

Schmer: Your Excellency, I should like to make a proposal. A Cert in rate should be fixed, say 15% or maybe a little higher, of all the registered wealth, I understand one billion is to be confiscated so that all Jews shall pay equally, and from the money raised this way, the insurance companies shall be refunded.

Goering: No. I don't even dream of refunding the insurance companies the money. The companies are liable. No, the money belongs to the State. That's quite clear. That would indeed be a present for the insurance companies. You make a wonderful Petidum there. You'll fulfill your obligations, you may count on that.

Kerl: It seems that in one respect, we'll have to arrange this somewhat differently. As far as the glass-insurance goes, the fact of the matter is that thw owners of the buildings will definitely have to be paid for the damage, as stipulated. The majority of these companies, with the exception of one Joint Stock Company in Cologne, are all very smallReciprocity-companies(Gegenseitsvereine). They won't be able to make up for the damage. We'll have to find out how far they are covered by re-insurance which I cannot tell at the moment.

Hilgard: In this connection, the re-insurance plays a relatively small role, except for the large fire-insurance policies taken out by department stores. There is no re-insurance in the glass insurances, for the simple reason that, under normal conditions glass insurance is one of our best branches in the insurance business; and therefore does not need re-insurance. I have to add, though, that the amount of this damage is approximately twice as high as the amount of damage for an average year. It makes all our calculations wrong and completely wipes out our chance for profit.(Interrupted by Kerl)

No, Sir, that is the way it is. The whole premium of the German glass insurance amounts to 14,000,000. if I am not wrong. Under normal conditions it amounted to 4 or 5 million. The glass insurance is our greatest asset. So far, the greates profits were made in it. But now, the amount of this damage is alone twice as high as the amount for one ordinary year. With the various special glass-insurances, it altogether different.

Goering: One moment! 4 to 5 millions normally. Twice as much would be about 10 million. You suggested 14 million. There are still 4 million left.

Hilgard: We'll also have to pay for the expenses. No, it is a very great catastrophe for us. Let me point out that the damgage in the whole of Germany, in my estimation, shall amout to approximately 25 million mark. I wanted to be careful.

Heydrich: We estimate that the damage to property, to furniture and to consumer-goods amounts to several hundred million; although that includes the damage the Reich shall suffer from loss of taxes. sales taxes, taxes on property and on income. I assume that the Minister for Finance too , has been informed on all this.

V. Krosigk: I have no idea about the wxtent.

Heydrich: 7,500 destroyed stores in the Reich.

Daluege: One more question ought to be cleared up. Most of the goods in the stores were not the property of the owner but were kept on the books of other firms, which had delivered them. Then there are the unpaid for deliveries by other firms, which definitely are not all Jewish but Arian, those goods that were delibered on the basis of commission.

H1239-0169

Hilgard: We'll have to pay for them, too.

Goering: I wished you had killed 200 Jews, and not destroyed such values.

Heydrich: There were 35 killed.

Kerl: I think we could do the following: Jews we don't pay anyhow. As for Arians, payment shall have to be made; the insurance company may contact us through the "Reichsgruppe" and we shall investigate each case. I am thinking of the small Reciprocity-Companies; it should be easy to find out whether they are capable of paying or not. In their cases, the amounts involved are not too large. We may find an arrangement for this later on; I am thinking of one in which the insurance companies arrange for recompensation exclusively to Arian, and once they know the results of their inquiries, contact us. We shall then find a way out for these small companies. Of course only in cases where it is absolutely necessary.

Funk: That is not necessary. I'd like to refer to what I've said before about the decree. That seems to be the easiest solution.

Goering: We cannot do that. These people make a point of their ability to pay.

Funk: If the Jews pay for it, the insurance companies don't have to pay.

Goering: Right, well, Gentlemen, this is all very clear. We'll stick to it. At this moment every insurance company, except Mr. Hilgard who is here, counts on having to pay for the damage. They want to pay too, and I understand this very well. They'll have to want that, so they cannot be reproached for not being secure enough to pay. The glass insurance, and a point was made of that, has brought the highest profits so far. That means they'd have enough surplus money, and if they haven't divided it all up in dividends, they'll have savings enough for the compensation. Such an insurance company will have to be in a position to pay for a damage of 10, 12, 15 million, that is three times the amount paid in the normal year. If they are unable to do that, then we'll have to wonder whether we should let small companies live at all. It would be insane to keep insurnace companies which would be unable to pay for such a damage. To permit an insurance company like that to exist would simply mean to cheat the people. I suggest now the following. The damage shall be determined in each case. And for the time being, the insurance companies shall have to honor their contracts in every respect and shall have to pay.

(No. 4 is missing)

H1239-0170

PART V

Goering: Now for the damage the Jew has had. At Margrafs', the jewels disappeared, etc. Well, they are gone, and he won't get them refunded. He is the one who has to suffer the damage. As far as the jewels may be returned again by the police, they belong to the State. Now for the consumer foods which were thrown into the street, stolen or burned. There too, the Jew will be the one who has the damage.

As for the goods that were kept on the basis of commissions, the Jew shall have to make good for the damage.

Goebbels: That doesn't have to be put in the decree, though. This decree is quite sufficient the way it is.

Hilgard: I wonder to what an extent insurance companies in foreign countries might be involved in this.

Goering: Well, they'll have to pay. And we'll confiscate that.

Hilgard: As for this merchandise sold on the basis of commissions, I can imagine that the American supplier of fur coats, shipping them from England or from America would in many cases insure it with English or American insurance companies!

Goering: Then they'll pay him for the damage. The question merely is the following: do you think there are re-insurances for all this damage in foreign countries?

Hilgard: Very few, amounting to very little.

Goering: Of course, the Aryan cannot report any damage because he hasn't had any. The Jew will make good.

The Jew shall have to report the damage. He'll get the refund from the insurance company but the refund will be confiscated. If it's all said and done, there will remain some profit for the insurance companies since they can't have to make good for all the damage. Mr. Hilgard, you may enjoy yourself.

Hilgard: I have no reason for that - The fact that we won't have to pay for all the damage is called profit!

Goering: Just a moment! If you are compelled under the law to pay 5 million and all of a suddon there appears an angel in my somewhat corpulent form before you, and tells you: you may keep 1 million - why, cannot that be called making a profit? I should actually split with you, or whatever you'd call it. I can see it, looking at you. Your whole body grins. You made a big profit.

(Remark: Let's initiate a tax for damages, resulting from public disturbance, to be paid by the insurance companies)

Hilgard: For me it goes without saying that the honorable German merchant cannot be the one who suffers. I have discussed this matter with the enterprises and I have spoken for it that the Aryan must not be the one who has the damage. But it is decidedly he who has it, because all the insurance companies, not one insurance company, are the ones that shall have to pay higher rates and at the same time shall receive lower dividends. Therefore, all the insurance companies are the losers. That is so, and that'll remain so, and nobody can tell me differently.

Goering: Then why don't you take care of it that a few windows less are being smashed! You belong to the people too! Send your representatives out. Let them instruct the people. If there should be any more questions speak to Mr. Lange.

(Reichsgruppenleiter Hilgard leaves the meeting)

Gentlemen, let us continue.

H1239-0171

Woermann: I think that the foreign Jews are left out completely in Article 1. They are covered only by Article 2. But they should also be taken care of in Article 1. Otherwise they can be dealt with only if they are insured, and not if they are not insured.

Goering: Well, they'll have to insure themselves - or what else do you mean?

Woermann: As for insurances, the foreign Jews are, to my understanding, mentioned only in Articles 2 and 3, and not in Article 1. If I remember correctly, you were going to say in Article 1: "Jews inside the country". Well, we'll have plenty of complaints then.

Goering: Pardon me. According to Article 2, they'll receive their compensation.

(Woermann: If they are insured!)

The number of those who are not insured is negligible.

Heydrich: I'd like to say one more thing of primary importance. In the decree we should not mention the confiscation. We can do that easily.

Goering: No, you cannot do that tacitly. A clear legal procedure will have to be employed there. But that is not what Mr Woermann means, he is talking about these foreign Jews who are not insures. As far as they are insured, they are covered. This here concerns those who are not insured. That may be the case here and there.

Woermann: We shall then have plenty of complaints.

Goering: I'd like to avoid paying too much attention to the foreign Jews.

Woermann: But if Article 2 contains that provision, Article 1 may as well have it. The first draft by the Minister for Justice covered it all very nicely.

Guertner: Now, if I don't misunderstand, Mr Woermann, he is primarily concerned with the obligation for restoration which shall be valid generally while only Jews who have German citizenship are mentioned regarding the insurances.

I'd like to know whether there are any objections against compelling also the foreign Jews to restore the damage, and to inform him that he shall not be paid the money from the insurance.

Goering: He is quite able to do that.

Woermann: Even if he is not insured?

Guertner: Oh-!

Goering: There should hardly be such instances. Let's take a chance on it.

Stuckart: If he is not insured, he'll have to have the damage restored anyway. How can he then make claims against anybody?

Goering: He cannot.

Woermann: He can file claims against the State.

Stuckart: According to which law? Damage caused by riots? We won't recognize riots.

Goering: Perfectly right.

Woermann: Generally speaking, may I say: regarding foreign Jews, the reservation that the contract is to be taken into consideration was made only for the organization. That is valid for all branches which we have discussed today, and also for the expropriation.

Goering: Like the Fuehrer says, we'll have to find a way to talk this over with the countries which also do something against their Jews. That every dirty Polish Jew has a legal position here and we have to stand him, - that ought to cease. The Fuehrer was not very happy about the agreement that was made with the Poles. He thinks we should take a few chances and just tell the Poles; all right, we are not going to do that; let's talk over what we may be able to accomplish together; you are doing something against your own Jews in Poland; but the minute the Itzig has left Poland, he should suddenly be treated like a Pole! I'd like to disregard these stories from foreign countries a little.

Woermann: It ought to be considered whether or not, the U S might take measures against German property. This question cannot be handled equally for all countries. I have to make a formal and general reservation.

Goering: I have always said and I'd like to repeat it that our steamship companies and German companies in general should finally catch on and liquidate their investments in the U S, sell them, etc. That country of scoundrels does not do business with us according to any legal rules. Once before they stole everything from us, that is why I don't understand how we could do it again, just for some temporary profit. It is dangerous. You can do it with a regular country but not with one that cares for the Right as little as the U S. The other day I had the American ambassador with me, we talked about the zeppelin and I told him: "We don't need any helium, I fly without helium but the prerequisite will have to be that this ship will be flying to civilized countries where the Right prevails. It goes without saying that one cannot fly to such gangster-states" He had a rather silly look on his face. One ought to tell these Americans. But you are right, Mr Woermann, it ought to be considered.

Woermann: In other words, the foreign office is granted the right to be consulted.

Goering: Granted, but I'd like to avoid mentioning the foreign Jews as long as we can help it. We'd rather have the foreign office take part in those cases where that question becomes acute, so that some compromise can be reached.

Woermann: Generally, and in particular cases.

Funk: The decisive question is: Are the Jewish stores to be reopened or not?

Goering: That depends on how big a turnover these Jewish stores have. If it is big, it is an indication that the German people are compelled to buy there, in spite of its being a Jewish store, because a need exists. If we'd close all Jewish stores which are not open right now, altogether before Christmass, we'd be in a nice mess.

Fisdibocck: Your Excellency, in this matter we have already a very complete plan for Austria. There are 12,000 Jewish artisan and 5,000 Jewish retail shops in Vienna. Before the National Revolution, we had already a definite plan for tradesmen, regarding this total of 17,000 stores. Of the shops of the 12,000 artisans, about 10,000 were to be closed definitely and 2,000 were to be kept open. 4,000 of the 5,000 retail stores should be closed and 1,000 should be kept open, that is, were to be aryanized. According to this plan, between 3,000 and 3,500 of the total of 17,000 stores would be kept open, all others closed. This was decided following investigations in every single branch and according to local needs, in agreement with all competent authorities, and is ready for publication as soon as we shall receive the law which we requested in September; this law shall empower us to withdraw licenses from artisans, quite independently from the Jewish question.

Goering: I shall have this decree issued today.

Fisdibcack: It was granted us in connection with the economic plan for Austria. I believe the only reason why it was not yet published was that negotiations between the Reich Ministry for Economic Affairs and the National Food Corporation were going on. A basic agreement had already been reached. We'll be able to close these 10,000 stores as a matter of mere routine as soon as the decree will be issued. As for the actual execution

H1239-0172

H1239-0173

of the matter, somebody will have to take care of the merchandise in these stores. Until last week we had intended to more or less leave it up to the Jews themselves to liquidate the warehouses. We cannot do that anymore. We intend to create a central agency which shall take care of the merchandise to be used. Generally, the best procedure might be to turn the merchandise over to the particular branch which in turn shall divide it up among the Aryan stores. These, in turn, shall re-sell it on the basis of commissions or for a fixed price.

If this is carried out as planned, it'll concern only the approximately 3,000 remaining stores which shall be aryanized, according to the investigations made in the various branches. Actual buyers for about half of these stores are waiting: their contracts have been checked and are ready to be approved. If many of these cases were not approved sooner, it is only because the decision on the planning had not yet been made. As for the remaining 15,000 stores, negotiations have also gone rather far in many cases. We think that a dead line should be set, say until the end of the year. If, by the end of the year, definite buyers for the stores designated for aryans, cannot be found, it'll have to be examined once more whether the stores should not be liquidated. In most cases that will be possible; an artisan's shop is of a rather individual character. As for retail stores, it would never be urgent enough, so as to say that the economic worth was too big. The very few stores which would still remain and found to be necessary but for which no buyer was available, could be taken over by trustees. This way, I believe that fewer than 100 stores would be left, and by the end of the year we would have liquidated all the Jewish owned businesses which so far has been obvious as such in the eyes of the public.

Goering: That would be excellent.

Fisdiboeck: Out of 17,000 stores 12,000 or 14,000 would be shut down and the remainder aryanized or handed over to the bureau of trustees which is operated by the State.

Göering: I have to say that this proposal is grand. This way, the whole affair would be wound up in Vienna, one of the Jewish capitals, so to speak, by Christmas or by the end of the year.

Funk: We can do the same thing over here. I have prepared a law elaborating that, effective 1 January 1939, Jews shall be prohibited to operate retail stores and wholesale establishments as well as independent artisan shops. They shall be further prohibited from keeping employees or offer any ready products on the market. Wherever a Jewish shop is operated, the police shall shut it down. From 1 January 1939, a Jew can no longer be employed as an enterpriser as stipulated in the law for the Organization of National Labor from 20 January 1934. If a Jew holds a leading position in an establishment without being the enterpriser, his contract may be declared void within 6 weeks by the enterpriser. With the expiration of the contract all claims of the employee, including all claims to maintenance, become obliterated. That is always very disagreeable and a great danger. A Jew cannot be a member of a corporation; Jewish members of corporations shall have to be retired by 31 December 1938. A special authorization is unnecessary. The competent Ministers of the Reich are being authorized to issue the provision necessary for the execution of this law.

Goering: I believe that we can agree with this law.

(Remark: Yes)

Of course there remain a few things to be straightened out even after 1 January. We shall be able to handle them with these general methods which we shall have to employ for handling all other Jewish property. As for the Jewish stores, we may proceed vigorously; we believe that by Christmas enough buyers shall be found to take over the stores which from now on shall be entirely under pressure. Also the merchandise may be taken the way you have proposed it. To me, all this seems to be prepared in an excellent manner.

Funk: In every single store everything is there.

Schmer: Everything is there, except that we have no control, anymore, over this business with the trustees. I personally am of the opinion that we don't need it at all; so far we have managed quite well with the aryanization. For those few stores that are to be kept open, we shall easily find buyers. All other rooms shall be rented without much ado. There is a great need for this right here in Berlin.

Goering: But my dear friend, that way the Jew will receive the full amount.

Schmer: He will receive the amount that is far below the value, and the aryanizing shall have to be authorized, as before.

Goering: The Jew will receive the amount and won't be put into the account-book.

Schmer: No. We can arrange that later. He cannot swallow the money. The amount is fixed, and under the law the Jew is compelled to report every change in his wealth, so that it can easily be controlled. He won't run away; we'll keep it in the Reich. The only thing you'd have to do is to issue a decree, or to transfer the provisions of Article 7 on to the Ministry for Economic Affairs in order to confiscate the Jewish property. He cannot run away from us.

Goering: Mr Schmer, could not the following be done: Somebody will become aryanized and get 300,000 marks into his hands. He runs into the next best jewelry-store around the corner and buys one piece of jewelry after another, and on the same day disappears across the border.

Schmer: In that case, we'll have to report this change in his property.

Goering: But if he wants to scram'.

Fisdiboeck: The O K on the aryanizing is not being given the minute the price for the purchase is being paid. We do that the following way. The aryanizing is being authorized only under the condition that the price for the purchase is to be paid in instalments lasting over a long period of time, in case the buyer is unable to pay; or, in case payment is being made, that the amount is to be put in the bank of a frozen account.

Goering: We could do the same thing here.

Schmer: In the provisions for the execution of the law we may stipulate that from a certain level on, payment shall have to be made in bonds of the Reich or something similar. That would have to be a decree made to the authorities which O K the aryanizing.

Daluegue: The number of Jewish stores is unknown. Until yesterday, 7500 were reported to us and the number does not increase.

Fisdiboeck: Because of what has happened the day before yesterday in Vienna, 5000 were shut down there. There were 40,000 altogether.

Schmer: Shall the arrangement made in Austria remain?

Goering: Nothing will be changed there.

Fisdiboeck: Everything can be shut down at any time.

Heydrich: I know that a very high limit has been set for registering, 3000 I believe.

Fisdiboeck: More than 5000.

Goering: Is that the same in the Reich?

Fisdiboeck: Yes, in the Reich too. In this connection, I'd like to make a few more remarks. What we are very much concerned with, is the situation regarding the Jewish apartment houses which contribute a large percentage of Jewish wealth. Surprisingly enough, the Jewish national wealth in Austria is reported to amount of 320 million marks only; the value of the

H1239-0174

apartment houses alone amounts to 500 million. We should appreciate it very much if the regulation which makes it possible to requisition Jewish property would be made to be valid also for the apartment buildings; thus we would be enabled to have these houses administered by a board of trustees and to give the Jews the right to have a claim on the debit ledger of the Reich. That could also be an occasion to cash the contribution which might be deducted this way in advance. The administration of these blocks of apartment buildings wouldn't be a problem at all. The only thing we'd need for it would be managers, and there'd be plenty of them. We'd like to requisition the apartment buildings and also any bonds that way. This question of the bonds has been left open so far. In Austria, a very large part of Jewish wealth, 266 billion Reichsmarks, is invested in bonds of all kinds in shares or simply in bonds bringing a fixed rate of interest. In my opinion, a danger for the market does not exist because the Ministry for Economic Affairs would have control over these bonds. We'll pay by handling out claims, on the debit-ledger of the Reich. Therefore, the finances of the Reich won't be affected; the Minister for Finance shall only pay 3% for the claims on the debit-ledger of the Reich. He in turn receives internal loans, that means saves money. And if the bonds are not being sold, one might keep them 30 years until those claims on the debit-ledger of the Reich shall be expired.

Funk: Why should Jews not be allowed to keep bonds?

Goering: Because that way he would actually be given a share.

Funk: That is entirely new.

Goering: No. I said very clearly before; bonds and shares.

Funk: Shares yes, but not internal loans.

Fisdiboeck: It is certainly better to pay the Jew 3% instead of 4%. We'd have no possibility to control Jewish wealth the minute we'd let him have shares.

Goering: Gentlemen, no arguments. It is out of the question that he'd keep the shares. He'll have to turn them in.

Fisdiboeck: In that case I'd like you to arrange this by calling the shares in so that the stock market won't be ruined. That can very easily be done. They'll be turned in. Administering the shares is also much simpler. The trustee turns the shares over to the depot and receives claims on the debit-ledger of the Reich in their place. With this, the whole affair is settled. The only question is whether you want to recall the shares or not.

Funk: This way, the Reich will become processor of half a billion shares.

Goering: Yes, Yes.

Goebbels: He'll be able to get rid of them according to its needs.

Fisdiboeck: But it is a business based on profits.

v. Krosigk: I am wondering, first whether it will bring us profits. I grant you that, though. But secondly, an entirely new point of view has to be entered here. I can very well see the point in what the Minister, Mr. Fisdiboeck, says. As for the values that otherwise bring fixed rates of interest, it is an entirely new idea to expropriate the Jew also in this, though the intention had been to refrain his status as the owner of the shares.

Fisdiboeck: The reason why this is so very important is that our whole action shall remain without success as long as the Jews shall be in the possession of values, which they may realize quickly and employ for any other undertaking.

Goering: That's it. We want to prevent the Jews from again secretly manipulating against us.

Fisdiboeck: For example, if we don't want the Jews to possess jewelry we can prevent them from having it by allowing them to possess only Internal Loan bonds, that means that they could acquire the jewelry only by paying with bonds.

H1239-0175

H1239-0176

Goering: Nobody would pay them their claims on the debit-ledger.

Fisdiboeck: They are not transferable.

Goering: Only if authorized.

Heydrich: Is it not possible to issue an order forbidding the Jew to invest his money in certain values, such as art treasures?

Goering: The arrangement with the registration in the debit-ledger is much simpler. Claims on the debit-ledger are not transferable. He cannot do anything with them, and he cannot do much with those 3½%.

Heydrich: But we'll also have to find an arrangement for confiscation of valuable objects in Jewish possession.

Goering: What he has now in his possession, that'll come.

Schmer: Article 7 of the decree states that the use of Jewish wealth in German economy shall be regulated through the Four Year Plan.

Goering: I think Fisdaboeck's proposal is very good. We should give it the form of a draft now, find the apartment buildings, the shares, etc.

Fisdaboeck: I should also like to have a decision made on the following question. In Austria, individuals, not institutions, owe the Jews 184 billion Reichsmarks. This way the Jews certainly have invested money in a way we don't like. That is money which they have loaned out to other Jews, oftener enought to an Aryan. This way, a dependency of the Aryan artisan from the Jewish creditor is created which we do not want. Now the question arises, and I would answer yes. Should trustees not be created to administer these debts and then pay with claims on the debit-ledger, according to demand coming in. The goal of this procedure would be to make the debtor independent from the Jewish creditor, to insert Aryan trusteeship and pay the Jew, as far as his demands could actually be met. Therefore it does not have to be paid. So we should have to insert trusteeship in this case also, but the difference to that in the case of the bonds would be that we won't simply pay but leave the decision for payment up to the trusteeship.

Funk: If word of this debate should reach the public, we'd have a run on the capital market tomorrow.

Fisdiboeck: That's why we have postponed these ideas all the time. We have examples for it that the Jews have sold, head over heel, bonds of internal loans, shares and everything they had.

Goering: I could stop that with a single decree, ordering the immediate stoppage of traffic of Jewish capital. He is punishable who buys from Jews, and his purchase shall be confiscated. I would not do it any other way.

. . . . . .

(# 6 is missing) ...

Frick: The Ministry of the Interior shall have to take part in it.

Goering: I have said so before.

(Shout by Goebbels)

---that is a misunderstanding. That is now the committee which is elaborating on nothing but on this problem which is being tackled. How are the shares, how are the claims on the debit-ledger to be handled? Therefore, I shouldn't like to have anybody else in the Committee, in order to keep it as small as possible.

Buerkel: Is the plan for the arianizing to be discussed also?

Goering: Mr. Fischboeck shall bring that up. This place is the crux of the matter. I hope you have listened properly so that you know exactly what is to be valid for the Sudetengau!
Of course,I too am of the opinion that these economic measures ought to be strengthened by a number of Police-action-Propaganda-measures and cultural displays so that everything shall be fixed now and the Jewry will be slapped this week right and left.

Heydrich: In spite of the elimination of the Jew from the economic life, the main probelm, namely to kick the Jew out of Germany, remains. May I make a few proposals to that effect?
Following a suggestion by the Commissioner of the Reich, we have set up a center for the Emigration of Jews in Vienna, and that way we have eliminated 50,000 Jews from Austria while from the Reich only 19,000 Jews were eliminated during the same period of time; we were so successful because of the cooperation on the part of the competent Ministry for Economic Affairs and of the foreign Charitable organizations.

Goering: The main thing is, you cooperated with the local leaders of the "Green Frontier".

Heydrich: That amounted to a very small number, your excellency. Illegall---

Goering: This story has gone through the whole world-press. During the first night the Jews were expulsed into Checkoslovakia. The next morning, the Checks grabbed them and pushed them into Hungary. From Hungary, they were returned to Germany and from there into Checkoslovakia. They travelled around and around that way. They landed finally on an old Barge in the Danube. There they lived, and wherever they tried to go ashore, they were barred.

Heydrich: That was the report. There weren't even 100 Jews.

Goering:For practically two weeks, a number of Jews left every midnight. That was in the Burgenland.

Heydrich: At least 45,000 Jews were made to leave the country by legal measures.

Goering: How was that possible?

Heydrich: Through the Jewish Kulturgemeinde, we extracted a certain amount of money from the rich Jews who wanted to emigrate. By paying this amount, and an additional sum in foreign currency, they made it possible for a number of poor Jews to leave. The problem was not to make the rich Jew leave but to get rid of the Jewish mob.

Goering: But children, did you ever think this through? It doesn't help us to extract hundreds of thousands from the Jewish mob. Have you ever thought of it that this procedure may cost us so much foreign currency that in the end we won't be able to hold out.

Heydrich:Only what the Jew has had in foreign currency.
(Goering--agreed)
This way. May I propose that we set up a similar procedure for the

H1239-0177

Reich, with the cooperation of the competent government agencies, and that we then find a solution for the Reich, based on our experiences, after having corrected the mistakes, the General Field Marshall has so rightly pointed out to us.

(Goering:--agreed)

As another means of getting the Jews out, measures for Emigration ought to be taken in the rest of the Reich for the next 8 to 10 years. The highest number of Jews we can possibly get out during one year is 8-10,000. Therefore, a great number of Jews will remain. Because of the Arianizing and other restrictions Jewry will become unemployed. The remaining Jews gradually become proletarians. Therefore, I shall have to take steps;to isolate the Jew so he won't enter into the German normal routine of life. On the other hand, I shall have to restrict the Jew to a small circle of consumers, but I shall have to permit certain activities within professions; lawyers, doctors, barbers etc. This question shall also have to be examined.

As for the isolation, I'd like to make a few proposals regarding police measures which are important also because of their psychological effect on public opinion. For example, who is Jewish according to the Nurnberg laws, shall have to wear a certain insignia. That is a possibility which shall facilitate many other things. I don't see any danger of excuses, and it shall make our relationship with the foreign Jew easier.

Goering: A uniform!

Heydrich:An insignia. This way we could also put an end to it that the foreign Jews who don't look different from ours, are being molested.

Goering: But, my dear Heydrich, you won't be able to avoid the creation of ghettos on a very large scale, in all the cities. They shall have to be created.

Heydrich: As for the question of ghettos, I'd like to make my position clear right away. From the point of view of the police, I don't think a ghetto in the form of completely segregated districts where only Jews would live, can be put up. We could not control a ghetto where the Jews congregate amidst the whole Jewish people. It would remain the permanent hideout for criminals and also for epidemnics and the like. We don't want to let the Jew live in the same house with the German population; but today the German population, their blocks or houses, force the Jew to behave himself. The control of the Jew through the watchful eye of the whole population is better than having him by the thousands in a district where I cannot properly establish a control over his daily life through uniformed agents.

Goering: We'd only have to forbid long-distance calls.

Heydrich: Still I could not completely stop the Jews from communicating out of their districts.

Goering: And in towns all of their own?

Heydrich: If I could put them into towns entirely their own, yes. But then these towns would be such a heaven for criminals of all sorts that they would be a terrific danger. I'd take different steps. I'd restrict the movement of the Jews and would say; In Munich, the governmental district and the district----

Goering: Wait a minute! I don't care so much for it that the Jews don't appear in spots where I don't want them. My point is this one; if one Jew won't have any more work, he'll have to live modestly. He won't be able to go far on his 3½%, to restaurants, etc. He'll have to work more. That'll bring about a concentration of Jewry which may even facilitate control. You will know that in a particular house only Jews are living. We shall also have concnntrated Jewish butchers, barbers, grocers etc. in certain streets. The question is of course whether we want to go on tolerating that.

H1239-0178

H1239-0179

If not, the Jew shall have to buy from the Arian.

Heydrich: No, I'd say that for the necessities in daily life, the German won't serve the Jew anymore.

Goering: One moment. You cannot let him starve. But there'll be the following difficulty. If you say that the Jews will be able to have so and so many retail stores, then they'll again be in business, and they'll continually have to sell for the wholesaler.

Schmer: In a small town that wouldn't work at all.

Goering: It could only be worked out if you'd reserve inadvance whole districts or whole towns for the Jews. Otherwise, you'll have to have only Germans do business, and the Jew shall have to buy from them. You cannot set up a Jewish barbershop. The Jew will have to buy fodd and stockings.

Heydrich: We'll have to decide whether we want that or not.

Goering: I'd like to make a decision on that right now. We cannot make another sub-division here. We cannot argue: so and so many stores will remain for the Jew because then again no control will be possible since these stores in turn would have to work with wholesale stores. I'd say, all stores should be Arian stores, and the Jew may buy there. One may go one step further and say that these and these stores will probably be frequented mostly by Jews. You may set up certain barbershops operated by Jews. You may make concessions in order to channel certain professions into certain streets for certain tasks. But not stores.

Heydrich: What about the ghetto? Would the Jew have to go to an Arian district to buy.

Goering: No. I'd say that enough German storekeepers would love to dwell in the Ghetto if they could do some business there. I wouldn't alter the principle that the Jew shall have no more say in German Economy.

Heydrich: I shouldn't like to comment on that. Now a few things which are important also form a psychological angle.

Goering: Once we'd have a ghetto, we'd find out what stores ought to be in there, and we'd be able to say;you, the Jew so and so, together with so and so, shal take care of the delivery of goods. And a German wholesale-firm will be ordered to deliver the goods for this Jewish store. This store would then not be a retail-shop but a cooperative-store, a cooperative one for Jews.

Heydrich: All these measures will eventually lead to the institution of the ghetto. I'd say one shouldn't want to build a ghetto. But these measures, if carried through as outlined here, shall automatically drive the Jews into a ghetto.

Funk: The Jews will have to move quite close together. What are 3 million? Everyone will have to stand up for the next fellow. The individual alone will starve.

Goering: Now, as to what Minister Goebbels has said before, namely compulsory renting. Now, the Jewish tenants will be together.

Heydrich: As an additional measure, I'd propose to withdraw from the Jews all personal papers such as permits and drivers licenses. No Jew should be allowed to own a car, neither should he be permitted to drive because that way he'd endanger German life. By not being permitted to live in certain districts, he should be furthermore restricted to move about so freely. I'd say the Royal Square in Munich, the Reichsweihestatte, is not to be entered any more within a certain radius by Jews. The same would go for establishments of culture, border fences,military installations. Furthermore, like

Minister Dr. Goebbels has said before, exclusion of the Jews from public theaters, movie houses etc. As for cultural activities, I'd like to say this; cultural activities in holiday resorts may be considered an additional feature, not absolutely necessary for the individual. Many German Volksgenossen are unable to improve their health through a stay at a resort town. I don't see why the Jew should go to these places at all.

Goering: To health spas, no.

Heydrich: Well, then I'd like to propose the same thing for hospitals. A Jew shall not lie in a hospital together with Arian Volkgenossen.

Goering: We'll have to manage that gradually.

Heydrich: The same applies to public conveyances,

Goering: Are there no Jewish Sanatariums and Jewish hospitals? (Remarks--Yes!) We'll have to finagle all this. These things will have to be straightened out one right after another.

Heydrich: I only meant to secure your approval in principle so that we may start out on all this.

Goering: One more question, gentleman: What would you think the situation would be if I'd announce today that Jewry shall have to contribute this 1 billion as a punishment?

Buerckel: The Viennese would agree to this whole-heartedly.

Goebbels: I wonder if the Jews would have a chance to pull out of this, and to put something on the side.

Brinkmann: They'd be subject to punishment.

V. Krosigk: Mr. Fischboeck, one question, Could this authorization be ordered without their closing out their securities?

Funk: They are all registered. They'll also have to register the money.

V. Krosigk: But for the time being they may dispose of it.

Goering: It won't help them to cash them all. They can't get rid of the money.

Funk: They'll be the ones to have the damage if they sell their stocks and bonds.

Fischiboeck: There is a certain danger, But I don't think it is very great. But only then, when all the other measures shall definitely be carried out during next week.

V. Krosigk: They have to be taken during the next week at the latest.

Goering: I would make that a condition.

Fischiboeck: Maybe it is good that we put ourselves under pressure this way.

Goering: I shall close the wording this way; that German Jewry shall, as punishment fortheir abominable crimes etc. etc., have to make a contribution of 1 billion. That'll work. The pigs won't commit another murder. Incidentally, I'd like to say again that I would not like to be a Jew;in Germany.

H1239-0180

H1239-0181

V. Krosigk: Therefore, I'd like to emphasize what Mr. Heydrich has said in the beginning; that we'll have to try everything possible, by way of additional exports, to shove the Jews into foreign countries. The decisive factor is that we don't want the society-proletariat here. They'll always be a terrific liability for us.

(Frick;--"and a danger!")

I don't imagine the prospect of the ghetto is very nice. The idea of the ghetto is not a very agreeable one. Therefore, the goal must be, like Heydrich said, to move out whatever we can!

Goering: The second point is this. If, in the near future, the German reich should come into conflict with foreign powers, it goes without saying that we in Germany should first of all let it come to a showdown with the Jews. Besides that, the Fuehrer shall now make an attempt with those foreign powers who have brought the Jewish question up, in order to solve the Madagascar project. He has explained it all to me on 9 November. There is no other way. He'll tell the other countries. "What are you talking about the Jew for?-Take him!" Another proposal may be made. The Jews, gotten rid of may buy territory for their "co-religionists" in North America, Canada or elsewhere.

I wish to summarize: The Minister of Economic Affairs shall direct the committee and he shall in one form or another, take all steps necessary within the next few days.

Blerning: I fear that during the next few days, beginning Monday, the Jews will start to sell bonds on internal loans for hundreds of thousands, in order to provide themselves with means. Since we hold the course of the internal loan in order to sell more bonds, The Reich-Treasury, Loan-Committee or the Reich Minister for Finance should have to back this internal loan.

Goering: In what way could the Jew bring his bonds on the market?

(Remark;--"Sell them")

To Whom?

(Remark:--on the stock market.
He orders a bank to do it.)

Well, I'll prohibit selling internal loan bonds for three days.

Blerning: That could be done only through a decree.

Goering: I can't see any advantage for the Jew. He won't know himself how and he'll have to pay. On the contrary, I believe he won't move.

Goebbels: For the time being he is small and ugly and stays at home.

Goering: I don't think it would be logical. Otherwise we'll have to do it. The reason why I want this decree in a hurry is that for the time being we have peace but who can guarantee that there won't be new trouble by Saturday or Sunday. Once and for all I want to eliminate individual acts. The Reich has taken the Affair in its own hand. The Jew can only sell. He can't do a thing. He'll have to pay. At this moment, the individual Jew won't think of throwing anything on the market. There'll be some chatter first, and then they will begin to run to us. They'll look for those great Aryans with whom, they'll think they may have some luck., the so-called various mail-boxes of the Reich with whom they can lodge their protests. These people will run my door in. All that takes some time, and by then we'll be ready.

Daluegue: May we issue the order for confiscating the cars?

Goering: Also the Ministry of the Interior and the Police will have to think over, what measures will have to be taken. I thank you.

(Conference closed at 2.40 P.M.)

6 October 1945.

I, FRED NIEBERGALL, 2nd Lt. Inf. O-133 55 67, Hereby certify that I am thoroughly conversant with the English and German languages; and that the attached is a true and correct translation of the Stenographic Report of the meeting on "The Jewish Question" under the chairmanship of Field Marshall Goering in the Reichs Air Force on 12 November 1938--11 O'clock.

FRED NIEBERGALL
2nd Lt. Inf.
O-133 55 67

H1239-0182

H1239-0183

TRANSLATION OF DOCUMENT NO. 1850-PS
Office of U. S. Chief of Counsel.

Filing reference 11 C-2
(in ink)

Subject: Negotiation between Obergruppenführer Krüger, Oberst Karmann Oberst Lorenz in the Chambers of the Reich Board of Trustees on 8 July 1933.

Oberst Karmann stated that the Armed Forces had so far maintained no contact whatsoever with the ex-service men. The only contact which the ex-service men have is the vote of their maintenance at the Reich Ministry of Labor. Oberst Karmann intends to establish an Ex-service men's Association for which membership of the SA is laid down as a condition. Ex-service men wait for about 3 years from the time their active service ends until they obtain a Civil Service post. Roughly estimated, they number about 20,000 men. In addition, approximately 8,000 non-commissioned officers and men arereleased yearly. The demand for these ex-service men is so great that, for example, Oberst Karmann has difficulty in obtaining personnel for his establishment. Oberst Karmann, however, wishes to send ex-service men compulsorily to the S.A., as soon as this is required by the Chief of Training. As a rule, the ex-service men go where they receive the best pay. Furthermore, Oberst Karmann explained his ideas on the recruitment of non-commissioned officers of the reserve. Forestry and customs officials should, for example, do several years military service with the Reichswehr. A similar provision should be made for officials of other categories. The settling of the question regarding the disadvantages of ex-service men in the SA, compared to those in the Labor Service has been postponed until a later date. Oberst Karmann mentioned that ex-service men, who were not appointed to good, regularly paid positions in the S.A. would, when they calimed their right to maintenance, be at a great practical disadvantage as regards their financial circumstances by reason of their S.A. service. He would see that there was official compensation for this.

Berlin, the 8 July 1933.

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(ink)

C002167

Confidential
filing reference (in ink)

5 July 33
(ink)

Discussion with Oberst v. Vietinghoff, Chief of Armed Forces Division on Wednesday the 5th July 33.

1) Leadership of Reich Youth (Reichs jugendführung). The question of the powers of the Head of the Reich Youth in connection with pre-military training.

I stated that, by a decision of the Führer, the spheres of duty of the Head of the Reich Youth, the Reich Commissar for Sport and the Chief of Training are sharply defined. I sent a draft to Munich to that effect.

2) Students A discussion is taking place today between Oberst v. Vietinghoff and Gerullis regarding the question of military sports for students. Oberst v. Vietinghoff is of the opinion that these matters also should be placed under the control of the Chief of Training.

I mentioned my preliminary negotiations with Herr Schwab, formerly with the General Armed Forces Office)AWA-Allgemeines Wehrmachtsamt* who, as liaison official on the Staff, was arranging this matter of military sports for students on the right lines.

H1239-0184

TRANSL TION OF DOCUMENT NO. 1850-PS
Contd.

Oberst v. Vietinghoff believes that the Prussian Ministry of Education and Public Worship, will make certain difficulties and would very much like to take a service-officer into the ministry as technical advisor. He suggested Hauptmann von Bernuth for this purpose.

3) I then gave an extensive outline of Bernuth's duties; he was working out the guiding principles for the training of men and the leaders for the military camps and schools for leaders in accordance with the wishes of the Reich Minister for Defense(Reichswehrministerium) with regard to pre-military training, in addition, however, he should make the technical preparations for weapon-training. Oberst v. Vietinghoff declared himself in agreement.

Hauptmann v. Bernuth is being given a long-term appointment to my staff. 002168 131 F2(ink)

4) Labor Service Military sports in Labor service camps are suspended for considerations of foreign policy. Dr. Stellbrecht has been to Oberst v. Vietinghoff to inform him that the Labor Service is being organized on the wrong lines.

5) The Office for Defence Policy (Wehrpolitisches Amt) My answer to Oberst v. Vietinghoff's question was that the "Wehr-politisches Amt" must not interfere with my sphere of duties and that I considered it advisable to dissolve it.

Oberst v. Vietinghoff is of the opinion that the "Wehrpolitisches Amt" has become superfluous and that all questions relating to military sports should again be decided by the Chief of Training.

6) The budjet. I drew Oberst von Vietinghoff's attention to the fact that the budget question must find its solution through the S.A., that it was not advisable for the Reich Ministry for Defense to put the care for the budget on behalf of the Chief of Training, for that might cause difficulties. I drew attention to Oberst v. Reichenau's suggestion and how it would work out.

Oberst v. Reichenau recommends that the budget adviser to the Chief Of Training should contact Major Osterkamp, the expert of the Reich Ministry for Defense, who is very experienced in these matters. It would then be easier to get the budget passed by the Reich Ministry for Finance.

I declared myself ready to examine the budget, in conjunction with the Reich Ministry for Defense, as soon as it was decided upon. Furthermore, the Führer's demand in Reichenhall that I should train 250,000 SA men and leaders within a year so that they would be at the disposal of the Reichswehr in case of emergency, is the basis on which I shall act.

In accordance with this demand of Hitler's I should have to examine the possibilities of instructional training and draw up my budget accordingly. Deductions from the budget made by the Reich Ministry would not be allowed.

7) The Reich Trusteeship Oberst v. Vietinghoff asked when I was taking over the Trusteeship of the Reich, to which I answered , that I had had a talk with Neuville today and that he had requested me in the course of this discussion to go with him the next morning to Minister Seldte to obtain information regarding the winding-up of affairs.

Oberst v. Vietinghoff considers this step superfluous, and only calculated to cause further delay. I assured him that I was of the same opinion.

8) Branch Leaders. (Zweigstellenleiter) I referred to my order to the main groups; it is to be left to them to employ Branch Leaders as Training Inspectors as they are required. If there were not need for them, the former Branch Leaders would have to leave their posts.

Berlin, the 5 July 1933.

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TRANSLATION OF DOCUMENT NO. 1850-PS

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Secret

Filing Reference

11 C -3 (Ink)
Bauer
(in pencil)

Discussion with Reich Defense Minister v. Blomberg on 15 July, 0930 hours.

1) My note of 13.7. to General v. Blomberg, showed both parties that, in fact, there had been a misunderstanding in the way the budget question was viewed. General v. Blomberg had not been informed that Oberst v. Reichenau had tried to have the budget for the Chief of Training of the S.A. introduced by the Reich Ministry for Defense.

The Führer's statement of 12.7 regarding the basic regulations for pre-military fitness training for youth, which had been shown to him today, had cleared all doubts.

At the last discussion he had merely intended to grant to the Chief of Training from his own special Fund for training purposes, money which, might possibly be refused by the Reich Minister for Finance. He had only wished to offer his services for this purpose and today agreed with me that the Reich Ministry of the Interior should decide upon the budget for the Chief of Training and put the case for it in the cabinet.

2) With a view to a practical solution of the budget problems he suggests that a discussion should take place between the Chiefs at the beginning of August, in which the Ministers Frick Schwerin-Krosigk and v. Blomberg should take part; he recommended also that I should first have a word with State Secretary Reinhard in the Reich Ministry for Finance to smooth the way.

3) General v. Blomberg had me explain to him the forms of training in the military camps and requested that the very necessary camouflage measure be taken.

4) Relationship of the higher S.A.-Führerkorps to the Reich Ministry for Defence. Berlin, 15.7.33.

C002171.

Ki/Eg

Berlin, 1 Sept. 1933.

Filing Reference.

Subject. Enrollment in the SA of members of the Reichswehr who are due for release.

for the archives
(in ink)

Discussion (1.9.1933/0936 hours)
between Oberst Hinria and Hauptmann von Wolf (general section and Armed Forces Section of Reich Ministry of Defense) on the one hand and Stabsführer Wühmann and Adjutant Kiefer on the other.

Oberst Hinria expressed the wishes of the members of the Reichswehr. The latter wish, on entering the SA after their demobilization to receive a rank corresponding to their last appointment. They consider it inadvisable that, for example a non-commissioned officer on entering the SA should have as his superior in rank a man who was formerly under him.

As opposed to this, Stabsführer Wühmann holds that this idea is contrary to the spirit and the service instructions of the SA, for it is a demand which is particularly stressed in the SA that one should place oneself voluntarily under the orders of another.

TRANSLATION OF DOCUMENT NO. 1850-P S
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With regard to the Unions(Trenbünde) the commonly held opinion is voiced that their main purpose was to prevent the members of the Reichswehr due for release from going over to the left. After the assumption of power, since this danger was averted, this purpose will no longer be held good in future. Nevertheless, Oberst Hinrie advocates their continued existence, for the reasons stated below.

Suggestions for a temporary solution:

In future the Reichswehr will presumably only be recruited from members of the S.A. Thus the men being demobilized, will automatically return to the S.A. Therefore, the solution for this period is simple.

Page 2

Filing reference (in ink) 131 Gi (in ink)

Secret 11 C - 5 (in ink)

Filing reference
Discussion with State Secretary Reinhard, Reich Ministry for Finance on the morning of 18.7.

1) I reported to State Secretary Reinhard on the whole question of the budget for the new sphere of duties assigned to Chief of Training; I also asked that the further payment of the budget funds granted by the Reich Ministry for Finance and belonging to the Reich Trusteeship, since dissolved, should be cleared up for the current financial year.
2) Preliminary examination of the supplementary budget drafted by me for the financial year 33/34 and an additional demand of approximately 25 millions.
State Secretary Reinhard considers it very difficult under the circumstances to carry through the supplementary budget for the current financial year. He was informed that the Reich Ministry for Finance wishes to dispose of the funds granted from the Reich Trusteeship, but on the other hand considers it necessary that the discussion of Chiefs mentioned by General v. Blomberg should take place between the Ministries. Taking the long view, State Secretary Reinhard believes that the estimated budget could still be approved if the unemployment problem were solved in the autumn. This is in his opinion a preliminary condition.

In addition, however, Finance Minister Krosigk had the matter of the budget in his own hands, for the (Reinhard) has to solve all the problems relating to unemployment.

Berlin, 18 July 1933.

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Secret 11 C-4(in ink) Bauer (in pencil)

Filing Reference

Discussion with Ministerial Director Gerullis, Prussian Ministry for Public Worship and Instruction. on 17 and 18.7.33.

TRANSLATION OF DOCUMENT NO. 1850-PS
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1) Gerullis is fundamentally of the opinion that all military sports in the colleges and universities should be in the hands of the Chief of Training. He declared himself to be in agreement with my suggestion to take onto my staff as liaison officer a Student Leader who is still to beenominated(Schwab or Krüger) and who, according to my suggestion, is to be responsible for all training in military sports.

In addition it is necessary for carrying this out further, that the S.A. Leaders etc. at present appointed as instructors in military sport in the Colleges and universities should once again be summoned to a special course in order to do their training on the new lines. Gerullis suggests Councillor Ministerialrat Haupt, present at today's discussion, as representative for Prussia.(3 illegible words in ink and illegible initials follow)

2) From 1 October, 5, officers of the General Staff are to be appointed for 3 years to the Universities of Königsberg, Breslau, Berlin, Colognd, and Frankfut-on-main toteach military tactics, leave of absence being granted for that period.

(Regulars, 5 senior Staff officers for this--marginal note in pencil)

They will give lectures on military tactics in those universities. On the 1 September these gentlemen will be brought to Berlin and will make contact with the Chief of Training. Questions regarding Military training are to be cleared up with me by these gentlemen. This ruling is the joint decision as mentioned by Oberstleutenant Weissenberger, who also took part in the discussion of the Reich Ministry for Defense and the Prussian Ministry for Public Worship and Education.

3) With regard to the former soldiers of the Reichswehr now united in the Unions(Tronbünde) it was said: The SA has no interest in incorporating the Unions, for all elements who do not believe firmly in the principles of the new ideology, are unwanted. (There is also no power of authority over these unions). The troop commanders should, however, be guaranteed authoritative influence over the unions in their commands. They should then see to it that:

1) All those who have hitherto been members of the Unions, who are suitable by reason of their ideology, are incorporated into the S.A.
2) That the members of the Reichswehr due for release in the future continue to join the unions which are under the supervision of the Commanders, but are without exception incorporated into the SA. The necessary foundations for this enrollment are to be laid immediately on entry into the Reichswehr and also constantly during military service.

Oberst Hinrich has also sep up for future use the following organization and order of service:

1) SA with preparation for the Reichswehr.
2) Period of service with the Reichswehr.
3) Re-entry into SA after release
4) Transfer to the S.A. Reserve(SA-handwehr) after the age of 45.

(Expansion of the Kyffhäuser Union(Kyffhäuserbund) to form the SA Reserve.)

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(in ink)

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TRANSLATION OF DOCUMENT NO. 1850-PS
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Personal
(in pencil)

11C- 7
(in ink)

Ch 25/4/33
(in ink) Illegible initials (ink)

The 5th September 1933.

To the
Chief of Naval Command for the attention of Konteradmiral Dr. N.C. Gross.

Berlin W. 10

Königin Augustastrasse 38-42.

K/Kl.

Sir:

I am very much obliged for the dates of the Fleet Manoeuvres sent to me at the request of the Chief of Naval Staff (Chef der Marineleitung)

On the 17th inst. I shall go on board in Pillau punctually at 1200 and will take the liberty of reporting in good time when and where, I shall be arriving in Pillau, for before that I shall probably be on a duty visit in East Prussia.

I take this opportunity of expressing a personal wish.

The Chief of Staff, Oberst-leutnant Röhm, informed me that he will also be present at the Flott Manoeuvres. I should be very grateful if I could go on board the same cruiser for I think that particularly with regard to the whole question of the training of Naval-SA units, my presence might be of value. Since the problems relating to this are my responsibility, it would be a great advantage to me, if the opportunity were offered me, to discuss the question and all its complications with the Chief of Staff. In Nürnberg I took the opportunity of discussing the matter with Kowettenkapitän Kiesorityky, who is assigned to my staff. Kowettenkapitän Kiesorityky believes, however, that it is unlikely that my request will be fulfilled on account of the distribution already in hand.

For this reason, Sir, I am again applying directly to you.

Perhaps Kowettenkapitän kiesorityky could inform me briefly whether my request can be granted.

Your very faithfully,

Heil Hitler
R. (Krüger)

Obergruppenführer.

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11C-8

For filing

received 31.10.33 Initials (ink)

Secret.

Filing reference.

1) The speech delivered by the Führer to the SA leaders on the evening of Tuesday the 17.10, has induced me to bring up for decision by the Chief of Staff, the question as to whether it is right that the SA training in the army of the Reich should be continued. In the clearly expressed

TRANSLATION OF DOCUMENT NO. 1850-PS
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declaration of the Führer there might be a suggestion of apprehension lest, if we trained the SA in the Reichswehr, informers and spies might have the opportunity of passing information regarding that training to our foreign political opponents.

The Chief of Staff intends to decide this question before the Gruppenführer at the Gruppenführer discussion on 23.10, while I am commissioned to discuss the decision it is intended to make with the Reich Ministry for Defense. If the Reich Minister for Defense assumes complete responsibility for the resulting consequences, the Chief of Staff agrees to the training of the SA in the army.

I informed Hauptmann von Bernuth on 18.10 of this wish of the Chief of Staff, with the request that he would inform Oberst von Reichenau to that effect, and obtain the decision of the Reich Minister for Defense.

On the 19.10, 1100 hours, Oberst von Reichenau asked me to a discussion in which this question was broached again. Oberst von Reichenau drew attention to the fact that, by this decision of the Chief of Staff, to reject the training of the SA in the Army of the Reich, would mean that the training by special courses would also be a thing of the past and also the whole of the training in frontier-guard duties would be rendered impossible. I replied that, with regard to the questions of frontier protection, no conversation had taken place between Chief of Staff and myself. This point would therefore need special consideration.

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C002177/1 P.T.O.
(in original)

The Chief of Staff is placing the decision with the Reich Minister for Defense, who, for his part, bears the responsibility for the training of the SA in the Army of the Reich.

The clearly-expressed speech of the Führer on 17.10 caused the Chief of Staff to clear up the question of responsibility in a way leaving no room for doubt for which reason it was absolutely necessary that the Reich Minister for Defense should make inquiries of the Chancellor.

If the Reich Minister for Defense assumed full and complete responsibility for the training in the Army of the Reich, the Chief of Staff saw no reason to cease training the SA in the Army.

II. Oberst von Reichenau showed me the letter written by Obergruppenführer von Jagow to the Reich Minister for Defense by way of reply to the complaint made by the Reich Minister for Defense regarding Obergruppenführer von Jagow.

Since it was possible to misinterpret the wording of von Jagow's letter, I repeated to Oberst von Reichenau the remarks I had made to Jagow, which the Reich Minister for Defense let fall in my presence. It appeared that Obergruppenführer von Jagow had on the occasion of his visit to Berlin on 17.10 had the opportunity of speaking to Kowettenkapitän von Langsdorff at the Reich Defense Ministry on the suspension of weapon training in the SA camps. A remark made by Jagow on this subject, which was quite unimportant and only reached Minister von Blomberg in the course of a report, was the reason for Minister von Blomberg's complaint regarding Obergruppenführer von Jagow.

Oberst von Reichenau remarked that there had been a misunderstanding on the part of the Reich Minister for Defense and after examining the facts he was of the opinion that the complaint made by the Reich Minister for Defense about Obergruppenführer von Jagow, which was reported by word of mouth to Obergruppenführer Heiger, had been unnecessary.

C002178/1

Reich Minister for Defense von Blomberg would now feel induced to write to Jagow.

III. Discussion regarding the appointment of personnel to the Reich Ministry for Defense.

TRANSLATION OF DOCUMENT NO. 1850-PS
Contd.

H1239-0190

IV. Discussion of the case von Reichenau, von Obernity, Gruppenführer Franken. It so happened that, through Hauptmann Fenchtlinger, Nürnberg, a conversation between himself and Gruppenführer von Obernity has come to the knowledge of the ministry.
Oberst von-Reichenau is very anxious that this misunderstanding should be removed. He will therefore write a personal letter to Gruppenführer von Obernity.

Berlin, the 19 October 1933.

/s/ Ringen.

C002179/1

- -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1850-PS.

20 Nov. 1945.

I, EVE GLAZIER, P/O W.R.N.S. 37371, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 1850-PS.

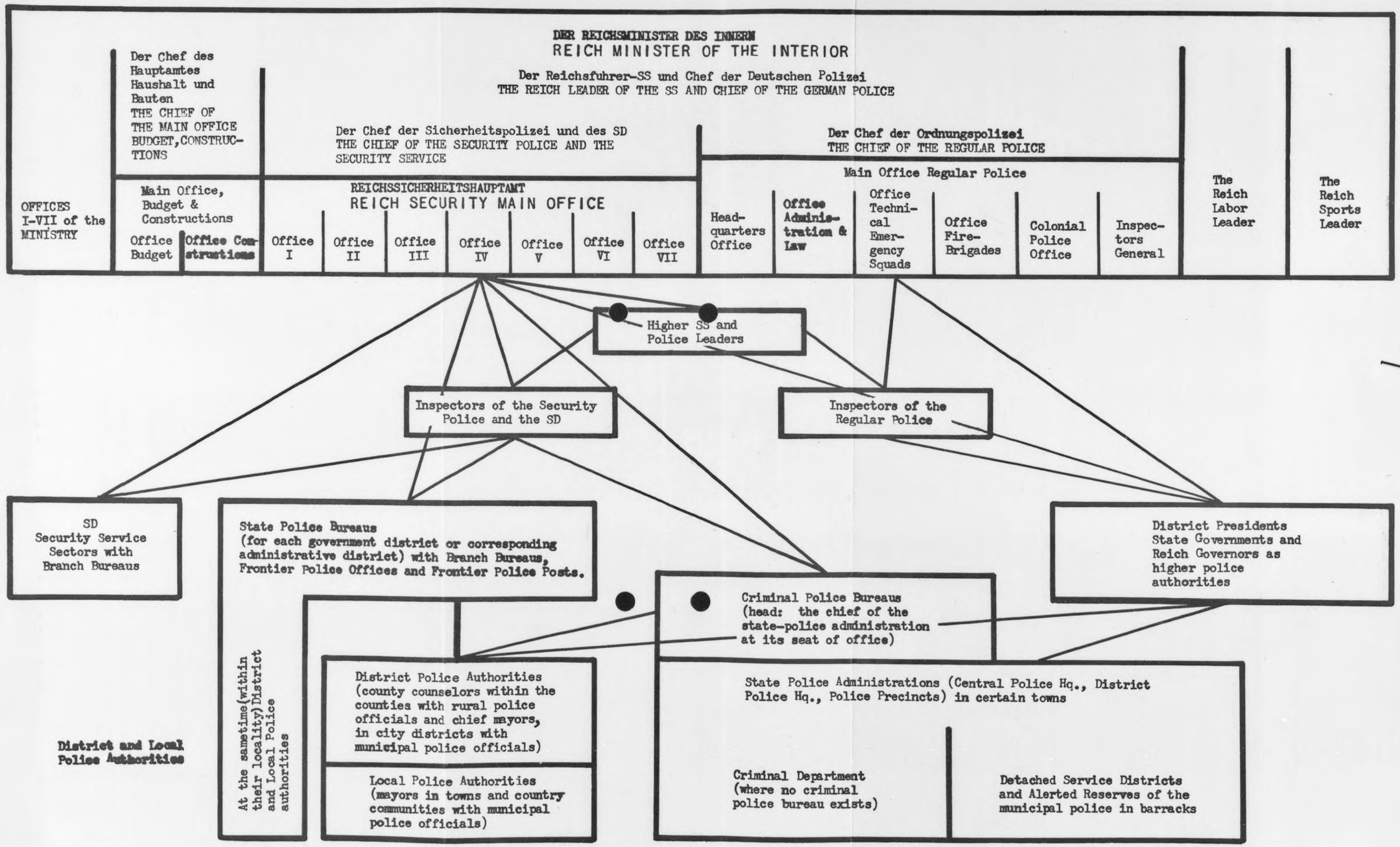
EVE GLAZIER
P/O 37371

1852-PS

THE STRUCTURE OF THE GERMAN POLICE

(As of Summer 1941)

Translated by MAX MANLIN



Translation of chart on page 111 in the book entitled "The German Police" by Dr. jur. Werner Best, SS Brigadier General, published in 1941 by L.C. Wittich Verlag, Darmstadt.

I, Margot Boatwright, X 046273, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 1852-PS.

(signed) Margot Boatwright
Margot Boatwright
X 046273

Presentation No. 77
SPD-OCC

1852-PS

H1239-0192

TRANSLATION OF DOCUMENT NO 1861-PS
OFFICE OF U. S. CHIEF OF COUNSEL

1934 REICHSGESETZBLATT, PART I, PAGE 45

Law Regulating National Labor
of January 1934

Gesetz zur Ordnung der Nationalen Arbeit.
vom 20. Januar 1934.

The Government of the Reich has decided to enact the following law which is hereby made public:

SECTION I

The Leader of the factory and the board of trustees.

Paragraph 1.

The enterpriser works in the factory as leader of the enterprise together with the employees and the workers who constitute his followers for the furtherance of the aims of the plant and for the common benefit of people and state.

Paragraph 2.

(1) The leader of the plant makes the decisions for the employees and laborers in all matters concerning the enterprise, as far as they are regulated by this law.

(2) He is responsible for the well-being of the employees and laborers. The employees and laborers owe him faithfulness according to the principles of the factory community.

Paragraph 3.

(1) In the case of legal persons and personal groups the legal representatives will be the leaders of the enterprises.

(2) The enterpriser or in the case of legal persons or personal groups, the legal representatives can appoint a person who participates in the management of the enterprise in a responsible capacity as their deputy. This must be done if they do not direct the plant themselves. In matters of lesser importance they can also appoint another person.

(3) Should the court of honor legally deprive the leader of the enterprise of his qualifications to be a leader, then a new enterpriser must be appointed.

Paragraph 4.

(1) Administrations are also considered as enterprises in the sense of this law.

H1239-0193

(2) Subordinate enterprises and parts of the enterprise which are connected with the main enterprise through common direction will only be considered as independent enterprises if they are situated far away from the main enterprise.

(3) The regulations of this law, with the exception of paragraph 32 and 33, do not apply to Ships, Inland navigation and Air-transport and their crews.

Paragraph 5.

(1) Trustees recruited from the employees and laborers act in an advisory capacity to the leader of an enterprise with, in the rule, at least 20 employees . They constitute with the leader and under his derection the board of trustees of the enterprise.

(2) To the employees and laborers in the sense of the regulations concerning the board of trustees belong also the persons who do piece work at home, who work mainly for the same enterprise either alone or with their families.

Paragraph 6.

(1) It is the duty of the board of trustees to increase the mutual confidence within the enterprise-community.

(2) It is the task of the board of trustees to discuss all measures concerning the improvement of the output, the form and execution of the general labor conditions, especially the enterprise regulations, the execution and the improvement of enterprise-protection, the strengthening of the ties between the members of the enterprise among themselves and toward the enterprise as well as the welfare of all the members of the community. It is furthermore their task to liquidate all quarrels within the enterprise-community. They must also be heard prior to the determination of punishment for violation of the plant-rules.

(3) The board of trustees can charge certain trustees with the execution of certain of its tasks.

Paragraph 7.

(1) The number of trustees is as follows:

in enterprises	with	20- 49	employees	.....	2
"	"	50- 99	"	.....	3
"	"	100-199	"	.....	4
"	"	200-399	"	.....	5

(2) These numbers are increased by one trustee for each 300 supplementary employees until they reach the maximum of ten trustees.

(3) The same number of representatives has to be designated.

H1239-0194

(4) Employees, workers and those who do piece work at home are to be considered in the choice of trustees.

The Chancellor of the Reich
Adolf Hitler

The Reich Minister of Labor
Franz Seldte

The Reich minister of Economic Affairs
Dr. Schmitt

The Reich minister of Justice
Dr. Guertner

The Reich Minister of Finance
Graf Schwerin von Krosigk

The Reich minister of Interior
Frick

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CERTIFICATE OF TRANSLATION
Of Locument No 1861-PS

17 November 1945

I, Willard EVANS SKILMORE, Lt (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English, French and German languages; and that the attached is a true and correct translation of Document No 1861-PS.

WILLIAM EVANS SKILMORE
Lt (jg) USNR
391590

H1239-0195

TRANSLATION OF DOCUMENT 1969-PS
OFFICE OF U.S. CHIEF OF COUNSEL

NOTE

To the file.

Subject: Ottilienheim Absberg.

Dr. Hefelmann, Berlin informed me by telephone, that the transfer of the sick from the Ottilienheim was not carried out by the directive of Berlin, but by the directive from the Bavarian State Ministry, Munich, Regierungsrat Gaum.

Furthermore, he told me, that the bearer of sovereignty (Hoheitsträger) could not be included, since the regulation does not call for that.

Nurnberg, 5 March 1941.

/s/ Sellmer
/t/ Sellmer

:Seal:

297/12

1969-PS

Gau Staff Office
Sel/Pf.

5 March 1941

To the
Kreisleiter
Party Member Michael Gerstner

Weissenburg/Bavaria

Subject: Your letter of 24 Feb 1941
Alarm of the population of Absberg.

The Reich Office (Reichsstelle) Berlin, informs me, that the transfer of the sick from the Ottilienheim was not carried out by Berlin, but by Munich. Therefore, I have now turned to Munich. In the mean time, I have found from the Regierungspräsident, that we also raised a complaint against the ways and means of the treatment of the sick. I therefore hope, that such cross mistakes will not occur in the future.

Heil Hitler

S
(Initial: Semmler)
Gaustapsamtsleiter

297/11

NB: The specialist (Sachbearbeiter) for Bavaria is Regierungsrat Gaum in the Bavarian state ministry in Munich. If possible we should get in touch with him. Regierungsrat Gaum will see to it, that the institutions will be cleared out as soon as possible.

H1239-0196

Reichministry of the Interior
Ministerial Dr. Linden.
Iog 7633/40/5100.
It is requested, to mention this official designation and subject in any further correspondence.

Red pencil)
S.6.I.41)

Berlin, 31 Dec 1940
NW 7, Unter den Linden 72
Telephone: Local 120034
Long Distance 120037
Teletype Local 517
Long Distance K 1517
Cable Address: Reichsinnienminister.

Rubber Stamp
Kreisleiter Informed

To the
Gaustabsamtsleiter, Heinrich Sellmer
in Nurnberg
Gauleitung

My dear party member Sellmer!

I forward in the enclosure an incident, which deals with the affair, about which you have been informed by party member Blanicenburg from the Führer's chancellery. As you can see in the application of Mrs. Marie Kehr, the latter would like to have information, whether it is possible by a law of the Reich, to relieve people from their incurable sufferings. I request that you investigate, whether Kehr is politically reliable, especially whether she does not have church connections. In case this should not be so, from my side, there are no misgivings, if you give Kehr the desired information orally.

Heil Hitler!
/s/ Linden

In Ink
Ortsgruppenleiter Party member Popp is of the opinion, that one can inform Mrs. Kehr. She is calm and circumspect.

S 7 Jan 1941

297/21 2 DM

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 1969-PS

28 November 1945.

I, WILLARD EVANS SKIDMORE, Lt (jg), USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a correct and true translation of Document No. 1969-PS.

WILLARD EVANS SKIDMORE,
Lt (jg), USNR,
391590.

H1239-0197

PARTIAL TRANSLATION OF DOCUMENT 2000 PS
OFFICE OF U.S. CHIEF OF COUNSEL

I

Source: Reichsgesetzblatt, Part I, No. 100, of 16 September 1935

Law for the Protection of German Blood and German Honor of 15 September 1935

Thoroughly convinced by the knowledge that the purity of German blood is essential for the further existence of the German people and inturned by the inflexible will to safe-guard the German nation for the entire future. The Reichs Parliament (Reichstag) has resolved upon the following law unanimously which is promulgated herewith:

Section L

1. Marriages between Jews and nationals of German or kindred blood are forbidden. Marriages concluded in defiance of this law are void, even if, for the purpose of evading this law, they are concluded abroad.

2. Proceedings for annulment may be initiated only by the Public Prosecutor.

Section 2

Relations outside marriage between Jews and nationals of German or kindred blood are forbidden.

Section 3

Jews will not be permitted to employ female nationals of German or kindred blood in their household.

Section 4

1. Jews are forbidden to hoist the Reichs and national flag and to present the colors of the Reich.

2. On the other hand they are permitted to present the Jewish colors. The exercise of this authority is protected by the State.

Section 5

1. Who acts contrary to the prohibition of section 1 will be punished with hard labor.

2. The man who acts contrary to the prohibition of section 2 will be punished with imprisonment or with hard labor.

3. Who acts contrary to the provisions of sections 3 or 4 will be punished with imprisonment up to a year and with a fine or with one of these penalties.

Section 6

The Reich Minister of the Interior in agreement with the Deputy of the Fuehrer and the Reich Minister of Justice will issue the legal and administrative regulations which are required for the implementation and supplementation of this law.

Section 7

The law will become effective on the day after the promulgation, section 3 however only on the 1 January 1936.

Nurnberg, the 15 September 1935 at the Reich Party Rally of freedom.

The Fuehrer and Reich Chancellor
Adolf Hitler

The Reich Minister of Interior
Frick

The Reich Minister of Justice
Dr. Gurtner

The Deputy of the Fuehrer
R. Hess

Reich Minister without portfolio

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2000 PS

17 November 1945

I, MR. T.W. SCHONFELD, 51029, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct partial translation of Document No. 2000 PS.

T.W. SCHONFELD
51029

H1239-0198

TRANSLATION OF DOCUMENT 2003-PS
OFFICE OF U S CHIEF OF COUNSEL

1934 REICHSGESETZBLATT, PART I, PAGE 747

Law re the Sovereign Head of the German Reich
1 August 1934

Gesetz über das Staatsoberhaupt des Deutschen Reichs
Vom. 1 August 1934

The Reich Government has enacted the following law which is hereby promulgated:

Section 1.

The office of the Reichspräsident will be consolidated with that of the Reich Chancellor. The existing authority of the Reichspräsident shall consequently be transferred to the Führer and Reich Chancellor, Adolph Hitler. He shall select his representative.

Section 2.

This law is effective as of the time of the death of Reichspräsident von Hindenburg.

The Reich Chancellor
Adolf Hitler

The Reich Deputy Chancellor
von Papen

The Reich Minister of Foreign Affairs
Freiherr von Neurath

The Reich Minister of Interior
Frick

The Reich Minister of Finance
Graf Schwerin von Krosigt

The Reich Minister of Labor
Franz Seldte

The Reich Minister of Justice
Dr. Gürtner

The Reich Minister for Defense
von Blomberg

The Reich Postal Minister and
Transportation Minister
Freiherr von Eltz

The Reich Minister for Nutrition and
Agriculture
R. Walther Darre

The Reich Minister for Enlightenment
and Propaganda
Dr. Goebbels

The Reich Minister for Air Travel
Hermann Goering

The Reich Minister for Science,
Training, and Education
Bernhard Rust

The Reich Minister without Portfolio
Rudolf Hess

The Reich Minister without Portfolio
Hanns Kerrl

.....

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2003-PS

31 November 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2003-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567.

H1239-0200

TRANSLATION OF DOCUMENT 2004-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART I, PAGE 153

Preliminary Law for the Coordination of the Federal States under the Reich, 31 March 1933.

Vorläufiges Gesetz zur Gleichschaltung der Länder mit dem Reich. Vom 31. März 1933

* * * *

Article 4

(1) The popular representation of the federal states (diets - "Landtage", citizens assemblies- "Burgerschuften") is hereby dossolved with the exception of the Prussian diet ("Preussischer Landtag") elected 5 March 1933, insofar as this has not already happened according to the law of the state.

(2) They will be newly constituted according to the number of votes which in the election to the German Reichstag were given to the electoral lists within each federal state. In this connection, seats falling to the Communist Party will not be given out. The same will be true for electoral lists of electoral groups which are to be regarded as a substitute for the electoral lists of the Communist Party.

* * * *

Berlin, 31 March 1933.

The Reich Chancellor
ADOLF HITLER

The Reich Minister of Interior
FRICK

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CERTIFICATE OF TRANSLATION
OF DOCUMENT 2004-PS

1 November 1945

I, FRED NIEBERGALL, 2nd Lt. Inf. 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2004-PS.

FRED NIEBERGALL
2nd Lt. Inf.
0-1335567

H1239-0201

TRANSLATION OF DOCUMENT 2005-PS
OFFICE OF U S CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART I, PAGE 173

Second Law Integrating the Laender with the Reich
7 April 1933

Zweite Gesetz zur Gleichschaltung der Laender mit dem Reich
vom 7 April 1933

The Reich Government has enacted the following law which is hereby promulgated:

1

(1) In the German "Laender", with the exception of Prussia, the Reich President, upon the proposal of the Reich Chancellor, shall appoint the Reich governor, the Reich governor shall require the observance of the general policy laid down by the Reich Chancellor. The following powers of "Land" authority belong to him:

1. Appointment and removal of the head of the "Land" Government, and upon his proposal, the other members of the "Land" Government.

2. Dissolution of the legislature and designation of the new election subject to the rule of section 8 of the Provisional Law of March 31, 1933, Integrating the German "Laender" with the Reich.

3. Preparations and publication of "Land" laws, including the laws which are determined upon by the "Land" Government according to section I of the Provisional Law of March 31, 1933, Integrating the German "Laender" with the Reich. Article 70 of the Constitution of August 11, 1919, applies accordingly.

4. Upon the proposal of the "Land" Government, appointment and dismissal of the higher "Land" officials and judges, so far as this formerly was accomplished by the highest "Land" officials.

5. The power of pardon.

(2) The Reich governor may preside over the meetings of the "Land" Government.

(3) Article 63 of the German Constitution of August 11, 1919 remains unaltered.

2

(1) A Reich Governor may not simultaneously be a member of a "Land" Government. He shall belong to the "Land" whose sovereign powers he exercises. His official residence is at the seat of the "Land" Government.

(2) For several "Lands" in each of which there are less than 2 million inhabitants, a common "Land" governor who must be a resident of one of these "Lands", may be appointed. The Reich President shall designate the governor's official residence.

3

(1) The Reich governor is appointed for the duration of a "Land" legislative period. He can be recalled at any time by the Reich President on the proposal of the Reich Chancellor.

(2) The provision of the Reich Ministry Law of March 27, 1930, find appropriate application to the office of Reich governor. His remuneration is borne by the Reich; the establishment of its size remain unsettled.

H1239-0202

4

Votes of no confidence of the "Land" legislature against the head and the members of the "Land" Government are not permissible.

5

. . . . . .

6

. . . . . .

The Reich Chancellor
Adolf Hitler

The Reich Minister of the Interior
Frick

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2005-PS

9 November 1945.

I, FRED NIEBERGALL, 2nd Lt Inf, 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document No. 2005-PS.

FRED NIEBERGALL
2nd Lt Inf
0-1335567.

H1239-0203

TRANSLATION OF DOCUMENT 2007-PS
OFFICE OF U. S. CHIEF OF COUNSEL

1933 REICHSGESETZBLATT, PART I, PAGE 65

Reich Governor Law
30 January 1935

Reichstatthalter Gesetz
Vom. 30 Januar 1935

The Reich Government has enacted the following law which has hereby been promulgated:

Para. 1

(1) The Reich Chancellor designates trustees of labor for the larger economic areas upon the proposal of the competent provincial governments and in agreement with them.

(2) The Reich Labor Minister will assign the trustees either to the participating provincial governments if they agree or to the provincial authorities.

Para. 2

(1) Until a new revision of the social constitution the trustees are to regulate the conditions for the conclusion of labor contracts. This practise is to be legally binding for all persons and replaces the system founded on combinations of workers, of individual employers or of combinations of employers. The regulations concerning the general application (para 2 ff of the tariff accord decree in the publication of March 1928, Reichsgesetzblatt I, p 47) remain unaffected.

(2) Moreover, the trustees are also to look after the maintenance of the labor peace.

(3) Furthermore, they are to be convoked for their cooperation in the preparation of a new social constitution.

Para. 3

The trustees are empowered to request aid of the competent Reich and provincial authorities for the execution of their regulations. They should put themselves in contact with the provincial government or one of their designated authorities before executing their measures, even though the danger of delay exists.

Para. 4

The trustees of labor are bound by the directives and decrees of the Reich government.

H1239-0204

TRANSLATION OF DOCUMENT 2007-PS
OFFICE OF U S CHIEF OF COUNSEL
continued

Para. 5

The Reich Labor Minister is to decree the necessary execution stipulation in agreement with the Reich Economics Minister.

Berlin 19 May 1933

The Reich Chancellor
Adolf Hitler
The Reich Labor Minister
Franz Seldte
The Reich Economics Minister and
Reich Minister for Food Supplies and
Agriculture
Hugenberg
The Reich Minister of the Interior
Frick
The Reich Minister of Finance
Count Schwerin von Krosigk

CERTIFICATION OF TRANSLATION
OF EXCERPT FROM 2007-PS

6 November 1945

I, FRED NIEBERGALL, 2nd Lt. Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of the indicated excerpt from Document No. 2007-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1239-0205

TRANSLATION OF DOCUMENT 2001-PS
OFFICE OF U S CHIEF COUNSEL

Reichsgesetzblatt, Part I, Page 141

Law to remove the distress of people and State of
24 March 1933

Gesetz zur Behebung der Not von Volk und Reich vom
24.Maerz 1933

The Reich-Parliament has resolved upon the following law which is promulgated herewith with approval of the Reich-Council after it has been etablished that all the requirements of legislation for changing the constitution have been complied with.

Section 1

Laws for the Reich can be resolved upon also by the Reich-Government besides the procedure provided by the constitution of the Reich. This also applies to the laws pursuant to sections 85 sub-section 2 and 87 of the Reich-Constitution.

Section 2

The laws for the Reich resolved upon by the Reich-Government may deviate from the Reich-Constitution insofar as they do not deal with the institution of the Reich-Parliament or the Reich-Council as such. The powers of the Reich-President will remain intact.

Section 3

The laws for the Reich resolved upon by the Reich-Government are issued by the Reich-Chancellor and promulgated in the Reichsgesetzblatt. They will become effective, insofar as they don't determine otherwise on the day following their promulgation. Section 68 to 77 of the Reich-Constitution are not applicable to the laws resolved upon by the Reich-Government.

Section 4

Treaties of the Reich with foreign countries relating to matters of the legislation of the Reich do not require the approval of the bodies participating in the legislation. The Reich-Government issues the rules necessary for the execution of such treaties.

Section 5

This law will become effective on the day of its promulgation. It becomes ineffective on 1. April 1937. Moreover it becomes ineffective if the present

H1239-0206

Reich-Government should be replaced by another.

Berlin, 24 March 1933

The Reich-President
von Hindenburg

The Reich-Chancellor
Adolf Hitler

The Reich-Minister for the Interior
Frick

The Reich-Minister for Foreign Affairs
Freiherr von Neurath

The Reich-Minister for Finances
Count Schwerin von Krosigk

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2001-PS 12 November 1945

I, Fred Niebergall, 2nd Lt. Inf. 0-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2001-PS

Fred Niebergall
2nd Lt.Inf.
0-1335567

TRANSLATION OF DOCUMENT 2008-PS
OFFICE OF U S CHIEF OF COUNSEL

1935 REICHSGESETZBLATT, PART I, PAGE 49

German Communal Ordinance
30 January 1935

Die Deutsche Gemeindeordnung
Vom. 30 Januar 1935.

The "Deutsche Gemeindeordnung" aims at qualifying the communes for the highest achievements in close cooperation with Party and State, affording them full opportunities for helping to accomplish-- in the true spirit of Baron vom Stein, the creator of communal home rule-- the purpose of the State: to restore the priority of the common weal over the individual in a united people permeated by one national will; to place the public interest before selfish ends and to bring about the true national community under the leadership of the best of the people, in which every willing fellow-citizen finds the feeling of mutual solidarity.

The German Communal Ordinance is a basic law of the National Socialist State. The reconstruction of the Reich will be completed on the foundations laid by the act.

The Reich Government has therefore enacted the following law which is hereby promulgated.

. . . . . .

Section 6.

(1) The mayor ("Bürgermeister") is the head of the commune, He is represented by the executive officers ("Beigeordnete").

(2) The mayor and the executive officers receive their appointments through the confidence of Party and State. In order to insure harmony between the communal administration and the Party, the delegate of the National Socialist Workers' Party participates in certain matters. Continuous contact between the communal administration and the citizens is guaranteed by the councillors ("Gemeinderäte"), who as meritorious and experienced men assist the mayor through their advice.

. . . . . .

Section 33.

(1) In order to insure harmony between the communal administration and the Party, the delegate of the National Socialist German Workers' Party participates, apart from the appointment and recall of the mayor, the executive officers, and thecouncillors (Secs. 41, 45, 51, 54), in the following decisions of the mayor:

1. The issuance of the basic ordinance requires the approval of the Party delegate;

2. Honorary citizenship and honorary titles may be granted or revoked only with his consent.

(2) When the Party delegate (NSDAP) refuses to concur with the mayor, he must give his reasons in writing within two weeks after the mayor has requested his decision. If the matter concerns the basic ordinance, the Party delegate must state the provisions disapproved by him, otherwise his approval is considered granted. Should further conferences or correspondence between the Party delegate and the mayor fail to bring about an agreement, the mayor must request the decision of the supervisory authority, in city counties that of the Reich governor. In the case of the basic ordinance, the Reich governor must have the

2008-PS

approval of the Reich Minister of the Interior for any final decision overruling the recommendation of the supervisory authority. The decision of the Reich governor is binding upon the supervisory authority.

. . . . . .

Section 41.

(1) Vacant full-time positions of mayor and executive officer must be advertised before they are filled by the commune. All applications received are to be sent to the Party delegate, who after secretly conferring with the councillors nominates up to three candidates. In the case of an executive officer he must give the mayor an opportunity to express his opinion of the candidate.

(2) In submitting his nominations together with all the applications the Party delegate proceeds as follows:

1. If the vacancy concerns the position of mayor, senior executive officer or chamberlain in cities of more than 100,000 inhabitants, the folder is sent through the supervisory authority to the Reich Minister of the Interior.

2. In the case of the position of another executive officer in cities of the above class and in the case of the position of mayor and executive officer in other city counties, the folder is sent through the supervisory authority to the Reich governor;

3. In the case of the position of mayor and executive officer in cities belonging to a rural county, the folder is sent through the supervisory authority to the higher supervisory authority, and for all remaining communes to the supervisory authority.

(3) If the proper authority concerned with the matter approves of a nomination, the commune appoints the candidate. Otherwise new nominations must be submitted. If no new nomination finds the approval of the proper authority, the latter selects a candidate, whom the commune must appoint. The same applies if nominations are not made within the period of time specified by the proper authority.

(4) Vacancies in the position of unpaid mayor or executive officer need not be advertised. The proper authority may permit a commune to proceed without advertising a vacancy in a position mentioned under (2). Otherwise the regulations given in (1) to (3) apply accordingly.

(5) Nominations are to be kept confidential until the proper authority according to (2) has made its decision.

. . . . . .

Section 45.

(1) The proper authority according to Sec. 41 (2) may revoke the appointment of a mayor or executive officer until the close of their first year of office. For positions of the first category under Sec. 41(2) the Reich governor must be invited to express himself on the matter. The same applies to the Party delegate for position of the third category under Sec. 41(2); cases of disagreement require a decision of the Reich governor.

. . . . . .

TRANSLATION OF DOCUMENT 2008-PS
Cont'd.

H1239-0209

Title 2

Communal Councillors

Gemeinderäte

Section 48.

(1) It is the duty of the councillors to keep the communal administration in close touch with all groups of the citizenry. They must advise the mayor on their own responsibility and uphold his measures among the population. In their activities they are to be guided solely by the thought of preserving and promoting the common weal.

(2) In cities the councillors have the title of "Ratsherr."

. . . . . .

Section 51.

(1) The Party delegate selects the councillors in agreement with the mayor. In making the appointment, he is to take into account national reliability, qualifications, and reputation, and must consider personalities whose activities give the commune its special significance or who exert an important influence upon the life of the community.

(2) Civil servants, employees and workers of the commune and civil servants of the supervisory authority may not be appointed councillors. The supervisory authority may grant exceptions from this rule.

. . . . . .

PART VII

SUPERVISION

Aufsicht

Section 106.

The State supervises the communes in order to insure that their activities conform with the laws and the aims of national leadership. The supervision shall be exercised in such a way that the initiative and the sense of responsibility of the communal administration are strengthened and not diminished.

. . . . . .

Section 123.

The provisions of this act take effect on April 1, 1935.

Berlin, 30 January 1935.

The Führer and Reich Chancellor
Adolf Hitler

The Reich Minister of the Interior
Frick

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2008-PS

31 October 1945.

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2008-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567.

TRANSLATION OF DOCUMENT 2018-PS
OFFICE OF U. S. CHIEF OF COUNSEL

H1239-0211

1939 REICHSGESETZBLATT, PART I, PAGE 1539

Führer's Decree Establishing a Ministerial Council For Reich Defense

30 August 1939

"Erlass des Führers über die Bildung eines Ministerrats für die Reichsverteidigung"
vom 30 August 1939

For the period of the present foreign political tension, I decree the following for the uniform leadership of administration and economy:

I

(1) A Ministerial Council for Reich Defense shall be established as a standing committee out of the Reich Defense Council.

(2) The standing members of the Ministerial Council for Reich Defense shall include: General Field Marshall Goering as chairman, Führer's Deputy, Commissioner General for Reich Administration, Commissioner General for the Economy, Reich Minister and Chief of the Reich Chancellory, Chief of the High Command for the Armed Forces.

(3) The chairman may draw on other members of the Reich Defense Council including further personalities for advice.

II

The Ministerial Council for Reich Defense may issue decrees with statutory effect, in so far as I have not provided for the passing of a law by the Reich Government or the Reichstag.

III

The authority of General Field Marshall Goering under the Decree for the Administration of the Four-Year Plan of October 13, 1936 (RGBl. I 887) including his power to issue instructions shall remain unaffected.

IV

The Reich Minister and Chief of the Reich Chancellory shall supervise the business of the Ministerial Council for Reich Defense.

V

I shall determine the period for the expiration date of this decree.

Berlin, 30 August 1939.

The Führer
Adolf Hitler

Göring
General Field Marshall

The Reichs Minister and Chief of the Reichs Chancellory.
Dr. Lammers.

H1239-0212

I, FRED NIEBERGALL, 2nd Lt., Inf., O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2018-P S.

FRED NIEBERGALL,
2nd Lt., Inf.,
O-1335567.

TRANSLATION OF DOCUMENT 2058-PS
OFFICE OF U.S. CHIEF OF COUNSEL

H1239-0213

1933 REICHSGESETZBLATT, PART I, PAGE 462.

Decree for the securing of the State Leadership
of 7 July 1933

Verordnung zur Gicherung der Gtaatsführung
vom 7 Juli 1933

Based on paragraph 18 of the provisional law about the co-ordination of the states (Länder) with the Reich of 31 March 1933. (Reichsgesetzblatt I, Page 183), I decree:

The Reichstag and houses of delegates of the states

Article 1

The distribution of seats, according to the electoral suggestion of the Social Democratic Party, for the Reichstag and the provincial diets (citizen's committees (Bürgerschaften)), based on the election results of 5 March 1933 or on the results of the co-ordination action, according to Article 4, Section 2 of the provisional law for the co-ordination of the states with the Reich of 31 July 1933, in void. An alternate distribution will not take place.

Community self-administrative bodies

Article 2

The distribution of seats, according to the elective suggestion of the Social Democratic Party, for the community self-administrative bodies (county diets, district diets, district councils, council of officials, city councils, city councils of representatives, community councils, etc.) (Kreistage, Bezirkstage, Bezirksräte, Amtsversammlungen, Stadträte, Stadtverodnetenversammlungen, Gemeinderäte usw.) in Prussia based on the results of the election of 12 March 1933, in t other German states based on the results of the co-ordination action according to article 12, Section 2 of the provisional law for the co-ordination of the states with the Reich of 31 March 1933 is void.

Article 3

In as much as it may be necessary for the maintenance of a self-administration of the community to fill the seats whose distribution has been nullified, the state supervisory authority can fill these seats again according to the will of the people after the conquering of the republic (Partei - staat).

Article 4

The members of the community self-administrative bodies will be appointed by the state supervisory authority according to the will of the people after the conquering of the republic in the following additional cases.

1.) if a community body of representatives is dissolved, by the state supervisory authority, or if their election or co-ordination has been declared void in the examination of the election,

2.) if a community or an association of communities is newly formed by way of organization,

3.) if a regular filling of the community body of representatives is not possible, because, according to the elections, a sufficient number of acceptable alternates is no longer available;

4.) if in Prussia, a new election of the community body of representatives has not taken place on 12 March 1933.

Civic honorary positions

Article 5

(1) The elections of honorary members of national administrative courts resolution authorities, committees and of bearers of national, individual honorary positions, who themselves belong to the Social Democratic Party, or who were elected because of the electoral suggestion of representatives of the Social Democratic Party, are void.

(2) The same applies to the election of honorary chairmen or members of boards of direction of communities and association of communities, deputations, commissions, community councils, as well as bearers of honorary individual positions, who are themselves members of the Social Democratic Party, or who have been elected by bodies of representatives or other organs, entitled to vote, of the community or of the community associations based on electoral suggestion, which have been submitted by the representatives of the Social Democratic Party.

(3) In as much as it is necessary for the maintenance of the national administration or of the community self-administration to fill civic honorary positions, the election of which are void (Section 1 and 2), the alternates will be appointed by the state supervisory authority or by its deputized officials according to the will of the people after the conquering of the republic.

Berlin, 7 July 1933.

The Reich Minister of the Interior
Frick.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2058-PS

31 October 1945.

I, WILLARD EVANS SKIDMORE, LT(jg)USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2058-PS.

WILLARD EVANS SKIDMORE,
LT (jg), USNR,
291590.

TRANSLATION OF DOCUMENT 2073-PS
OFFICE OF U S CHIEF OF COUNSEL

Q

H1239-0215

1936 REICHSGESETZBLATT, PART I, PAGE 487

Decree concerning the Appointment of a Chief of German Police in the Reich Ministry of the Interior of 17 June 1936

Erlass über die Einsetzung eines Chefs der Deutschen Polizei im Reichsministerium des Innern vom 17. Juni 1936

I.

For the unification of police duties in the Reich, a Chief of German Police is instituted for the German Ministry of the Interior, to whom is assigned the direction and conduct of all police affairs within the jurisdiction of the Reich and of the Prussian Ministries of the Interior.

II.

(1) For the Chief of German Police in the Reich Ministry of the Interior, the Deputy Chief of the Secret State Police of Prussia is declared to be Reichsfuehrer SS Heinrich HIMMLER.

(2) He is subordinated individually and directly to the Reich and the Prussian Ministries of the Interior.

(3) In their absence he represents for his jurisdiction the Reich and the Prussian Ministries of the Interior.

(4) He bears the service title: Reichsfuehrer SS and Chief of the German Police in the Reich Ministry of the Interior.

III.

The Chief of the German Police in the Reich Ministry of the Interior shares in the sessions of the Reich Cabinet, insofar as his jurisdiction is concerned.

IV.

I commission the Reich and the Prussian Ministries of the Interior with the conduct of this decree.

Berlin, 17 June 1936

The Fuehrer and Chancellor of the Reich
Adolf Hitler
The Reich Minister of the Interior
Frick

- - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 2073-PS

31 October 1945

I, FRED NIEBERGALL, 2nd Lt Inf, O-1335567, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2073-PS.

FRED NIEBERGALL
2nd Lt Inf
O-1335567

H1239-0216

Preussische Gesetzsammlung
(Prussian Law Collection)
1936 Edition

Issue No. 5 distributed in Berlin, 12 Feb 1936.

No. 14309

Decree
for execution of the Law on the Secret State Police of the 10 February 1936 (Prussian Legal Gazette, page 21)
Of the 10 February 1936.

On the basis of Articles 1 and 8 of the Law on the Secret State Police of the 10 February 1936 (Prussian Legal Gazette, page 21) is decreed:

Art. 1

The Gestapo is authorized to carry out the police investigations in high treason, treason and explosive cases, as well as, others punishable aggressive actions against Party and State.

Art. 2

(1) In the proper competence of the Secret State Police the Secret State Police Bureau is authorized to undertake measures in the entire territory of Prussia and measures effective for the entire territory.

(2) The Secret State Police Bureau assumes the competence of the Supreme Federal State Authorities in cases of the Law on guns and munitions of the 13 July 1928 (Reichs Legal Gazette I, page 198).

(3) The Secret State Police Bureau is a central collecting agency for political police information.

(4) The Secret State Police Bureau administers the state concentration camps.

(5) In Berlin the Secret State Police Bureau assumes the competence of the Secret State Police for the Federal-State-County and local police affairs. Whether and to what extent these tasks will be transferred to the State Police office in Berlin - will be determined by the Chief of the Secret State Police.

Art. 3

The State Police offices may within the framework of the competence of the Secret State Police take all measures encumbent upon the Secret State Police with exception of the prohibition of periodicals in their district.

Art. 4

(1) Insofar as it is necessary for the detection and fighting of aspirations which are directed against the State, the authorities of the county and local police in towns of more than 5000 inhabitants may decree the confiscation of printed material and restrictions regarding the rights of association and assembly for the support of the Secret State Police. The county and local police authorities have to obey within this realm the instructions of the responsible office of the State Police.

(2) The State Police office at its location executes also the functions of the local police within the framework of responsibility of the Secret State Police.

H1239-0217

Art. 5

The Secret State Police is an independent branch of the interior administration. Its officials, employees and paid personnel belong to the interior administration. Its highest superior is the Chief of the Secret State Police.

Art. 6

The head of the Secret State Police office will represent the Deputy Chief of the Secret State Police in all official business functions.

Art. 7

The Secret State Police office may within the framework of responsibility resting upon the Secret State Police make requests to the OBER - and REGIERUNGSPRAESIDENTEN (heads of provincial and county governments), as well as to all police agencies. The heads of the provincial and county governments have to obey the instructions of the Secret State Police office with respect to affairs concerning the Secret State Police.

Art. 8

(1) The State Police offices are located at the seat of the government. The Chief of the Secret State Police can, in agreement with the Minister of Interior, make exceptions from this principle.

(2) An index of the State Police offices is added in the appendix.

Art. 9

(1) The heads of the State Police offices and political specialists (Sachbearbeiter) of the provincial governors will be determined by the Chief of the Secret State Police in agreement with the Minister of the Interior.

(2) In case the head of the State Police Office is prevented from doing so, the functions of the political specialist of the provincial governor will be taken care of by the official who is destined as permanent deputy of the head of the State Police Office. He will be designated by the Chief of the Secret State Police in agreement with the Minister of Interior.

Art. 10

The State Police offices may make their request to all police authorities of their district. In counties, the request has as a matter of principle to be directed to the County Governor (Landrat); in urgent cases it will suffice to inform the County Council. The reports of the authorities subordinated to the County Governor have to be sent to the State Police offices through the County Council; in urgent cases it will suffice to inform the County Council at the same time.

Art. 11

The authorities of the County Police have to report directly to the responsible state police office on all important political occurrences and observations.

Art. 12

Insofar as officials of the Secret State Police within the framework of the authority of the Secret State Police take over the tasks incumbent upon the authorities and officials of the police - and security services according to the regulations of the code for criminal proceedings, they are acting as auxiliary officials of the OBERREICHSANWALT (Chief Prosecutor of the Reich) or of the State Prosecutor for the District Court (OBERSTAATSANWALT) who is locally responsible.

H1239-0218

Art. 13

The Chief of the Secret State Police disposes of the funds set aside for the Secret State Police in the budget of the interior administration.

Art. 14

The MINISTERIALBLATT of the Reich - and Prussian Ministry of the Interior is the official gazette for the Chief and Deputy Chief of the Secret State Police.

Art. 15

This decree will be effective on the day after its publication.

Berlin, 10 February 1936

The Prussian Prime Minister

GOERING

The Reich - and Prussian

Minister of the Interior

FRICK

CERTIFICATE OF TRANSLATION
OF DOCUMENT No. 2108-PS
(pp. 22, 23, 24)

21 November 1945.

I, Charles E. Bidwell, S/Sgt. USA, 13146054, hereby certify that I am thoroughly conversanr with the English and German languages; and that the above is a true and correct translation of (the indicated excerpt from) Document No. 2108-PS.

Charles E. Bidwell
S/Sgt. USA.
13146054

TRANSLATION OF DOCUMENT 2118-PS
OFFICE OF U S CHIEF OF COUNSEL

1941 REICHSGESETZBLATT, PART I, PAGE 547

Police - Decree on Identification of Jews
1 September 1941.

Polizeiverordnung über die Kennzeichnung der Juden
Vom. 1 September 1941.

In agreement with the Reichs-Protector for Bohemia and Moravia the following law based on the regulations regarding the Police-decrees of the Ministers of the Reich from 14 November 1938 (Reichsgesetzblatt I, page 1582) and on the decree regarding the right of establishing of law (Rechtsetzungsrecht) in the protectorate Bohemia and Moravia from 7 June 1939 (Reichsgesetzblatt I, page 1039) is herewith published:

Article 1.

(1) Jews (article 5 of the first decree regarding the law on German citizenship of 14 November 1935 - Reichsgesetzblatt I, page 1333) who have completed their sixth year of life shall be prohibited to appear in public without wearing a Jewish star.

(2) The Jewish star is a yellow piece of cloth with a black border, in the form of a six pointed star of the size of a hand with the inscription "Jew". It shall be worn visible, sewed on the on the left side of the chest of the garment.

Article 2.

Jews are prohibited to:

a) leave the area of the community in which they live without a written permission of the local police;

b) to wear medals, ribbons and other insignia.

Article 3.

Article 1 & 2 shall not apply to:

a) a husband living in a Jewish mixed marriage if children, born from this marriage who are not considered as Jews exist. This also applies if the marriage is dissolved or if the only son was killed in the present war.

b) to a Jewish wife in a childless mixed marriage, for the duration of the marriage.

Article 4.

(1) He who violates articles 1 & 2 willingly or carelessly shall be punished with a fine up to 150 Reichsmark or with imprisonment not to exceed 6 weeks.

(2) Further protective measures on the part of the police as well as rules according to which a more severe punishment is permitted remain unaffected.

Article 5.

This decree shall also be valid within the borders of the protectorate of Bohemia and Moravia with the specifications that the Reichs-Protector in Bohemia and Moravia shall adopt the rules of article 2 a) to the local situation in the protectorate of Bohemia and Moravia.

H1239-0220

Article 6.

This Police-law shall be valid two weeks after publication.

Berlin, 1 September 1941.

For the Reich Minister of the Interior.
Heydrich.

- -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2118-PS

1 November 1945.

I, WILLARD EVANS SKIDMORE, Lt (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2118-PS.

WILLARD EVANS SKIDMORE
Lt (jg) USNR
391590.

H1239-0221

TRANSLATION OF DOCUMENT NO. 2119-PS
OFFICE OF U. S. CHIEF OF COUNSEL

1939 REICHSGESTEZBLATT, PART I, PAGE 485

Decree of the Fuhrer and Reich Chancellor concerning the Protectorate of Bohemia and Moravia, March 16, 1939

Erlass des Fuhrers und Reichskanzlers ueber das Protektorat Boehmen und Maehren

---

The Bohemian-Moravian countries belonged for a millennium to the living space of the German people. Violence and want of judgment have torn them arbitrarily from their old, historic environment and finally created, through their inclusion in the artificial structure of Czechoslovakia, a center of continuous unrest. Year after year the danger increased that out of this area- as once before in the past - would arise a new, stupendous menace to European peace. For the Czechoslovak State and its rulers had not succeeded in organizing in a reasonable manner the coexistence of the national groups arbitrarily comprised within it, and thus they failed to awaken and to preserve the interest of all concerned in the maintenance of the state common to them. Thereby this state has demonstrated its inherent inability to exist and therefore now has fallen into actual dissolution.

The German Reich cannot tolerate everlasting disturbances in these areas, areas so decisively essential not only to its own peace and security but also to the general welfare and the general peace. Sooner or later the German Reich would have had to suffer the most serious consequences because it is the power which is the most vitally interested and concerned by history as well as by geographical position. It is therefore only an act of compliance with the law of self-preservation if the German Reich is resolved to take decisive action for the reestablishment of the foundations of a Central European Order based on reason and to resort to measures impelled by this aim. For the millennial his historic past of the German Reich has proven that it alone is chosen by virtue of its greatness and the qualities of the German people to solve this problem.

Imbued with the earnest desire to serve the true interests of the nations setteled in this living space, to safeguard the national life of the German and Czech nations, to promote peace and the social welfare of all, I therefore order, in the name of the German Reich, the following as foundations on which the inhabitants of these areas can live side by side in the future:

Article 1. (1) The territories of the erstwhile Czechoslovak Republic, occupied by the German Armies in March, 1939, are hereby incorporated into the territory of the Greater German Reich and are placed under its protection as the "Protectorate of Bohemia and Moravia."

(2) In so far as the defense of the Reich requires it, the Fuhrer and Reich Chancellor may issue, for specified areas of these territories, orders at variance with these articles.

Article 2. (1) The residents of the Protectorate of German origin are hereby declared to be German nationals and German citizens, in accordance with the provisions of the Reich Nationality Code (Reichsburgergesetz) of September 15, 1935 (RGBl., I, p. 1146). Therefore, the provisions for the protection of German blood and German honor shall apply to them. They shall be subject to the jurisdiction of German courts.

H1239-0222

1939 REICHSGESTEZBLATT, PART I, PAGE 485

Decree of the Fuhrer and Reich Chancellor concerning the Protectorate of Bohemia and Moravia, March 16, 1939

Erlass des Fuhrers und Reichskanzlers ueber des Protektorat Boehmen und Maehren

(2) The other residents of Bohemia and Moravia are hereby declared to be citizens of the Protectorate of Bohemia and Moravia.

Article 3. (1) The Protectorate of Bohemia and Moravia is declared to be autonomous and shall govern itself.

(2) It shall exercise the sovereign rights to which it is entitled within the framework of the Protectorate in conformity with the political, military, and economic interests of the Reich.

(3) The Protectorate shall exercise these sovereign rights through its own political agencies, authorities, and officials.

Article 4. The head of the autonomous administration of the Protectorate of Bohemia and Moravia shall be entitled to the protection and the full honors of the head of a sovereign government. The head of the Protectorate must enjoy, in the exercise of his high office, the confidence of the Fuhrer and Reich Chancellor.

Article 5. (1) The Fuhrer and Reich Chancellor will appoint as a guardian of the interests of the Reich a "Reich Protector of Bohemia and Moravia." His official residence shall be in Prague.

(2) It shall be the duty of the Reich Protector, as representative of the Fuhrer and Reich Chancellor and as the agent of the Government of the Reich, to assure compliance with the political instructions issued by the Fuhrer and Reich Chancellor.

(3) The members of the government of the Protectorate shall hold office subject to confirmation of the Reich Protector. A confirmation made may be later revoked.

(4) The Reich Protector may demand information concerning all acts of the government of the Protectorate and may offer his counsel to the government. He may protest against measures which may be harmful to the Reich, and, in cases of emergency, may take all steps necessary to the common welfare.

(5) The publication of statutes, orders, and other general rules and regulations, and the enforcement of administrative measures and execution of judicial decisions which have become final, shall be suspended upon notice of protest given by the Reich Protector.

Article 6. (1) The foreign affairs of the Protectorate, especially the protection of its citizens abroad, shall be entrusted to the Reich. The Reich shall take charge of the foreign affairs in such a manner as shall conform with the common interest of both countries.

(2) The Protectorate shall have a representative with the Government of the Reich officially designated as Minister.

Article 7. (1) The Reich shall extend military protection to the Protectorate.

(2) For the purpose of extending such protection the Reich shall maintain garrisons and military establishments in the Protectorate.

(3) The Protectorate may establish its own units for the maintenance of home security and protection. The Government of the Reich shall determine the form of organization, the number of the forces, and the armament to be employed.

Article 8. The Reich shall directly supervise all traffic, posts, and telegraphs

H1239-0223

TRANSLATION OF DOCUMENT NO. 2119-PS
Continued.

1939 REICHSGESETZBLATT, PART I, PAGE 485

Decree of the Fuhrer and Reich Chancellor concerning the Protectorate of Bohemia and Moravia, March 16, 1939

Erlass des Fuhrers und Reichskanzlers ueber des Protektorat Boehmen und Machren

---

Article 9. The Protectorate shall form part of the German customs area and shall be subject to its customs authority.

Article 10. (1) In addition to the Reichsmark the Krone shall constitute legal tender until further notice.

(2) The rate of exchange for the two currencies shall be determined by the government of the Reich.

Article 11. (1) The Reich may issue orders having the force of statutes for the Protectorate, in so far as required by the common welfare of both of them.

(2) In so far as there is a common need, the Reich may take over branches of the administrative services and amy establish the necessary Reich agencies in their stead.

(3) The Government of the Reich may take all measures necessary for the maintenance of security and order.

Article 12. The laws and statutes presently in effect in Bohemia and Moravia shall remain in effect unless incompatible with the purposes pf protection by the German Reich.

Article 13. The Reich Minister of the Interior shall, in agreement with the Reich ministers concerned, issue all rules and regulations, general and administrative, required for the enforcement and implementation of this decree.

Prague, March 16, 1939.

Adolf Hitler, Fuhrer and Reich Chancellor.
Frick, Reich Minister of the Interior
von Ribbentrop, Reich Minister of Foreign Affairs
Dr. Lammers, Reich Minister and Chief of the Reich Chancellery

---

20 November 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2199-PS

I, Felix Edward Sharton, hereby certify that I am thoroughly conversant with the English and German Languages, and that the above is a true and correct translation of Document no. 2199.

Felix Edward Sharton
046312

TRANSLATION OF DOCUMENT 2194-PS
OFFICE OF U. S. CHIEF OF COUNSEL

H1239-0224

REICH DEFENSE LAW

G-300
Top Secret

The Ministry for Economy and Labor Saxony Ref: Lbv:407g
Dresden and 6 for September 1939
Tel: 52151/Long Distance 52051

To The Reich Protector in Bohemia and Moravia,
Transportation Section,
Attention of Construction Chief, Counselor Hirches
or Representative in the Office.

Prag

(STAMP) The Reich Protector in Bohemia and Moravia received, Prag, 5 Sept. 1939. No. 274.

Enclosed please find a copy of the Reich Defense Law of 4 Sept. 1938 and a copy each of the decrees of the Reichsminister of Transportation dated 7 October 1938--RL/LV 10.2212/38, Top Secret-- and of 17 July 1939--RL/LV 1.2173/39, Top Secret, for your information and observance. By order --

3 Encl.: SIGNED: Kretzschmar.

Completed at Dresden 4 September 1939.

3 Enclosures. SIGNED: Schneider.

Receipt for the letter of 4 September 1939, Lbv:407g with 3 enclosures signed 5 September 1939 and returned to Construction Counselor Kretzschmar.

File: Lbv SIGNED: HI.

Top Secret
Enclosure 2.
RL/LV 1.2861/39G

The Reichsminister for Transportation.

RL/V 1.2173/39 Berlin 17 July 1939

44 plus 2 copies.
No. 45.

To the Subordinate Authority of the Reich and the States as well as the General Authority of the States to whom are attached:

(a) Waterways Deputies (Lbv).

(b) Deputies for Local Transportation (Nbv).

(c) Deputies for ocean traffic. (Sbv).

To each one individually:

Subject: Protection of the secrecy of the law for the Reich Defense. (RV--Gesetz).

Ref: Decree of 7 October 1938 RL/LV 10.2212/38, Top Secret.

2194-PS

The leader has agreed to the tacit omission of the secrecy protection of the Reich defense law of 4 September 1938 transmitted with the corresponding decree. In spite of the greater ease in business correspondence thus created, the following limitations, which are herewith brought to your attention for compliance, have been ordered by the competent office.

1. It remains prohibited to cite the Reich Defense Law in public or in connection with laws to be promulgated, as well as publication of the contents of the law in its entirety.

2. It is permitted

   a. the mention of all installations founded on the Reich Defense Law and their functions in public without referring to the law;

   b. the cosignature of laws which are prepared and announced in peacetime for war.

Deputy

Signed Baur.

SECRET STATE MATTER!

To GRS Nr. 10/39

Enclosure for RL/LW. I. 2861/39 g.

The Reich Traffic Minister

RL/L. 10. 2212/38 secret state matter

Berlin, W. 8, the 7th October 1938
Wilhelmstrasse 80.

47 and 3 copies

Examination Nr. 49

To the following Reich and State authorities from whom have been ordered

(a) deputies for water ways,

(b) deputies for the local traffic,

(c) deputies for ocean traffic

- but especially -

Subject: Reich Defense Law (Reichsverteidigungsgesetz).

Enclosed is transmitted copy of the Reich Defense Law signed by the leader and Reich chancelor on 4 September 1938. The promulgation remains suspended.

Deputy

Signed Baur.

To Abv.: 407 g.

TRANSLATION OF DOCUMENT 2194-PS

H1239-0226

TOP MILITARY SECRET

To GRS Nr. 10/39

1432

Reich Defense Law (Reichsverteidigungsgesetz).

of 4 September 1938.

The Reich cabinet has decided on the following law which is announced herewith.

I. State of Defense,

par. 1

(1) As possessor of the complete power of state, the leader and Reich chancelor can decree for the Reich territory or its parts a "State of Defense".

(2) If the political situation demands it the leader and Reich chancelor decrees the "Mobilization". The mobilization can be limited to a part of the Reich or of the armed forces.

par. 2

(1) Once the territory of operation is determined the chief of the army and the commanders of the armies have upon declaration of the state of defense without further order the authority to exercise executive power in this operational territory.

(2) The commanders exercising executive powers can, effective for the territory of operations, promulgate laws, institute special courts, and issue directives to the officials and offices competent in the territory of operations, with the exception of the supreme Reich officials, the supreme Prussian country officials, and the Reich leaders of the NSDAP. The lawfulness of directives precedes directives from otherwise superior offices.

(3) The boundaries of the territory of operations are determined by the supreme commander of the armed forces.

(4) Special directives for the case of a surprise threat to the Reich territory.

If a part of the Reich territory is surprised by a military threat, and if special decrees for defense against this danger cannot be awaited, then the commanders of the imperiled service commands (Wehrkreise) have the right to issue the directives which cannot be delayed and which are necessary for the protection of the imperiled territory to all non-military offices within their sphere of command. The same rights apply to the commanding admirals of the Navy in case of surprise threats against the coastal territory, and to the commanders of air districts in case of surprise attacks from the air within the framework of their war tasks. The execution of these directives has precedence over the other commitments and the directives of superior offices. The named commanders can transmit their right of issuing directives to subordinate officers down to the village counselor (Standortaelteste).

par. 3

(1) With the declaration of the state of defense the plenipotentiaries for the Reich administration ("Generalbevollmaechtigte fuer die Reichsverwaltung" GBV) named by the leader and Reich chancelor takes over the uniform leadership of the non-military administration with exception of the economic administration.

H1239-0227

To him are subordinate

the Reich minister of the Interior

the Reich minister of Law

the Reich minister for science, education and popular education,

the Reich minister for religious matters,

the Reich office for regional order (Raumordnung).

(2) The GBV must comply with the demands of the supreme command of the armed forces (OKW) which are of considerable importance for the armed forces. If the demands cannot be brought in accord with the affairs of the Reich administration the leader and Reich chancelor makes the decision.

(3) The GBV has the right within his sphere to issue laws with the accord of the OKW and GBW which differ from the existing laws.

par. 4

(1) With the declaration of the state of defense the chief deputy for economics ("Generalbevollmaechtigte fuer die Wirtschaft" GBW), appointed by the leader and Reich chancelor, takes over the direction of the economy except for the armament industry.

(2) It is the task of the GBW to put all economic forces into the service of the Reich defense, and to safeguard economically the life of the German nation. To him are subordinate

the Reich minister of economics,

the Reich minister of nutrition and agriculture,

the Reich minister of work,

the Reich chief of forestry,

the Reich commissar for price control.

He is furthermore responsible for directing the financing of the Reich defense within the realm of the Reich finance ministry and the Reich bank.

(3) The GBW must carry out the demands of the OKW which are of considerable importance for the armed forces; and he must insure the economic conditions for the production of the armament industry directed immediately by the OKW according to its demands. If the demands of the armed forces cannot be brought into accord with the affairs of economy, then the leader and Reich chancelor decides.

(4) The GBW has the right within his sphere to issue laws with the consent of the OKW and GBV which differ from the existing laws.

par. 5

(1) The Reich postal minister, the Reich transportation minister, and the general inspector for the German road net are, with the declaration of the state of defense, bound to the demands of the OKW for the immediate affairs of the armed forces.

H1239-0228

(2) The following will get orders from the OKW:

(a) the Reich transportation minister for the use of means of transportation,

(b) the Reich postal minister for the use and distribution of the complete communication connections to the armed forces and the other agencies.

(3) The Reich transportation minister must comply, with the declaration of the state of defense, with the demands of the CB. according to the directions given to him by the OKW for the use of the means of transportation.

(4) In the spheres of the Reich postal minister, of the Reich transportation minister, and of the general inspector for the German road net, the chief of the OKW has the right to promulgate laws in accord with the GBV and GB. which differ from the existing laws.

par. 6

The Reich ministers and chief Reich offices carry out the tasks within their spheres on their own responsibility, regardless of the special competence of the chief of the OKW, of the GBV, and of the GB., according to paragraphs 3, 4 and 5

par. 7

For the shaping of the political will of the people the deputy of the leader of the NSDAP is responsible. He uses for that the NSDAP, its formations and coordinated units.

II. State of War

par. 8

(1) If the fight with an external enemy is forced upon the German people, the leader and Reich chancellor declares the state of war.

(2) With declaration of the state of war the war laws and war decrees come into force without further order. The legal consequences provided in other laws for the state of war become effective.

par. 9

If the state of defense is not already declared beforehand the decrees about the state of defense go into effect with declaration of the state of war.

III. Preparatory Measures

par. 10

The Reich Defense Counsel (Reichsverteidigungsrat (RVR):

(1) The task of the Reich Defense Counsel consists in peace time in the decision on all measures for the preparation of the Reich defense and the gathering together of all forces and means of the nation according to the directions of the leader and Reich chancellor. The tasks of the RVR in war time will be specially determined by the leader and Reich chancellor.

(2) The leader and Reich chancellor is chairman in the RVR. His permanent deputy is general field marshall Goering. He has the right to call conferences of the RVR. Permanent members of the RVR are

the Reich minister of air and supreme commander of the air force,
the supreme commander of the army,
the supreme commander of the navy,
the chief of the OKW.,
the deputy of the leader,
the Reich minister and chief of the Reich chancellory,
the president of the secret cabinet council,
the chief plenipotentiary for the Reich administration,
the chief plenipotentiary for economics,
the Reich minister of foreign affairs,
the Reich minister of the interior,
the Reich finance minister
the Reich minister for popular enlightenment and propaganda,
the president of the Reich bank directory.

The other Reich ministers and the Reich offices directly subordinate to the leader and Reich chancellor are consulted if necessary. Further personalities can be called as the case demands.

par. 11

The Reich Defense Committee (Reichsverteidigungsausschuss RV.):

(1) The Reich defense committee is the working committee of the RVR. It prepares the decisions of the RVR, sees to their execution, and secures collaboration between armed forces, chief Reich offices, and party.

(2) Presiding is the chief of the OKW. He regulates the activity of the committee and gives the directions to the GBV and GBW. and to the Reich ministries not subordinated to them and to the chief Reich offices according to the decisions of the RVR, which directions are necessary for securing their uniform execution.

(3) The RV. is composed of the OKW., deputy of the commissioner for the four year plan, the leader staffs of the GBV and GBW., and the Reich Defense officials.

(4) Chief office officials for the Reich defense (RV-Referenten) and their deputies are commissioned by the deputy of the leader, by the Reich chancellory, by each Reich ministry, by the Reich leader of the SS and chief of the German police, by the Reich work leader, by the Reich forest master, by the chief inspector for the German road net, by the Reich office for regional order, by the Reich bank directory, and in the Prussian state ministry. The RV-Referent and his deputy are immediately subordinate to the minister or the state secretary, and to the chief of the Reich office, resp.

par. 12

The uniformity of the preparations for the start and the course of the mobilization is secured by the OKW.

As regards the actual formulation of the preparations, the GBV and GBW. make the arrangements for their sphere.

par. 13

The Chief Plenipotentiary for the Reich Administration (GBV):

The GBV conducts the preparations for the Reich defense in the sphere of the ministries and Reich offices subordinate to him according to paragraph 3. They are bound by his directions already in peace time.

H1239-0229

H1239-0230

par. 14

The Chief Plenipotentiary for Economics (GBE):

(1) The GBE conducts the economic preparations for the Reich defense as far as they do not come in the sphere of the OKW as regards the armament industry.

(2) The GBE must secure the economic conditions for the production of the armament industry immediately directed by the OKW according to its demands.

(3) The ministries and Reich offices named in paragraph 4 (2) are, within the framework of these directives, already bound for the preparation of the Reich defense to the directions of the GBE, the Reich transportation minister to his demands according to paragraph 5 (3).

IV. Final Directions.

par. 15

Penal Directions.

Whoever acts against the orders of a decree promulgated on the basis of this law, on purpose or negligently, will be punished with a jail sentence and money fine or with one of these punishments, if the act is not punishable with a heavier sentence according to other decrees.

par. 16

Execution and Completion Directives.

The OKW promulgates in agreement with GBV and GBE the law and administrative directives necessary for the execution and completion of this law.

par. 17

The law takes effect immediately.

Berchtesgaden, the 4th September 1938.

The leader and Reich chancellor
signed Adolf Hitler

signed Goering
General Field Marshall

The deputy of the leader
signed R. Hess

The Reich Minister of the Interior
signed Frick

The Chief Plenipotentiary for Economics
signed Walther Funk

The Reich Foreign Minister
signed Ribbentrop

The Chief of the OKW
signed Keitel

The Reich Minister and Chief of the Reich Chancellory
signed Dr. Lammers

TRANSLATION OF DOCUMENT NO.2194-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Berchtesgaden, the 4, September 1938

Note to the Reich Defense Law

1. The Publications of the Reich Defense Law of 4 Sept. 1938, remains suspended.

2. The following laws and cabinet decisions are repeated effective immediately.

A. Reich Defense Law of 21 May 1935.

B. Decision of the Reich Cabinet of 4 April 1933 to form a Reich Defense Counsel.

C. Rectification and completion of 13 Dec. 1934 of the decision of the Reich Cabinet of 4 Apr. 1933.

D. Decision of the Reich Cabinet of 21 May 1935 on activity of the CB in peace times.

The Leader and Reich Chancellory,
(Signed) Adolph Hitler

The Reich Minister and Chief
of Reich Chancellory
(Signed) Dr. Lammers

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2149-PS

I, A. BREINER, X-046349, Civilian, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. 2194-PS

A. BREINER
Civilian
X-046349

H1239-0231

H1239-0232

TRANSLATION OF DOCUMENT 2245-PS
OFFICE OF U S CHIEF OF COUNSEL

1936. Ministerial=Blatt
des
Reichs=und Preussischen
Ministeriums des Innern
Pages 1343,1344.

The Employment of Security Police Inspectors.

Circular Decree by the Reich and Prussian Minister
of the Interior dated 20.9.1936.
- Police Special Order 1. 7/36 g+)
(already promulgated)

Einsetzung von Inspekteuren der Sicherheitspolizei
RdErl. d. RuPrMdI. v. 20.9.1936
- Pol S-V 1. 7/36 g *
(Bereits mitgeteilt)

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1. With effect from 1.10.1936 I am appointing Security Police Inspectors to the Prussian Provinces and the States of Baden, Bavaria Württemberg and Saxony. Detailed decrees to follow.

2. The duties to be undertaken by these Inspectors and entailed by their appointment are laid down in the appended Service Directives for Security Police Inspectors.

3. A special decree will be promulgated regarding the appointment of Security Police Inspectors to the remaining States.

To the State Governments (for Prussia : to the Prussian Ministerpräsident), the Ober= &Regierungs -Präsidente, to the Gestapo Office in Berlin, to the State Political Head Offices, to the State Political Offices.

Reichs Ministerial Paper, inside circulation, Page 1343.

+(compare footnote +) to Police Special Order 1.

Circular Decree of 20.9.1936
272/36 (Reich Ministerial Paper
inside circulation, Page 1339)

Appendix

Service Directive for Security Police Inspectors.

1. The special duties of the Security Police necessitate the closest and most sympathetic co-operation with the Central Offices of the General and Interior Administrations of the Provinces and States as well as with the Gauleiters of the N.S.D.A.P. and the Armed Forces Authorities.

2. The Security Police Inspectors are to foster this co-operation. Especially are they keep in the closest contact with the Oberpräsident and/or the Ministry of the Interior of their area and to keep them informed of all important occurrences, all essential reports and observations of the Security Police and where necessary stimulate the authorities of the Interior Administration and eliminate any difficulties which may arise.

3. The Security Police Inspectors are personally and immediately subordinate to the Oberpräsidente and/or Staatsminister of the Interior and are to follow his directives. Should these directives not be in

2245-PS

H1239-0233

accordance with the general and special Orders and Directions of the Chief of Security Police and should it be impossible to reach an agreement, then the Chief of Security Police is to be referred to for a decision.

4. The inspectors are furthermore charged with the task of supervising the execution in their area of any Decrees issued by the Chief of Security Police. They are to ensure that the Gestapo and the Civil Police are organized on the same basis. Any difficulties arising are to be reported to the Chief of Security Police together with suggestions as to how they may be overcome,

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CERTIFICATE OF TRANSLATION
OF EXCERPT OF DOCUMENT 2245-PS.

22 October 1945.

I, PETER FRASER, Capt.,K.R.R.C.,76538, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 2245-PS.

PETER FRASER.
Capt.,K.R.R.C.
76538.

H1239-0234

TRANSLATION OF DOCUMENT 2307-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1938 REICHSGESETZBLATT, PART I, PAGE 237

Law concerning the Reunion of Austria with the German Reich, March 13, 1938

Gesetz über die Wiedervereinigung Oesterreichs mit dem Deutschen Reich.

The Reich Government has ordained the following law, which is hereby proclaimed:

ARTICLE I. The Federal Constitutional Law of March 13, 1938, ordained by the Austrian Federal Government, concerning the reunion of Austria with the German Reich, hereby becomes a law of the German Reich. It has the following text:

By virtue of Article 3, Section 2, of the Federal Constitutional Law concerning extraordinary measures in the constitutional field (B.G.Blatt, I, No. 255, 1934), the Federal Government has ordained:

Article 1. Austria is a province of the German Reich.

Article 2. On Sunday, April 10, 1938, a free and secret plebiscite shall be held for German men and women of Austria over twenty years of age on the question of reunion with the German Reich.

Article 3. In the plebiscite the majority of the votes cast shall decide the issue.

Article 4. The necessary regulations for the implementation and supplementing of this Federal Constitutional Law shall be provided by decree.

Article 5. This Federal Constitutional Law shall enter into force on the day of its proclamation.

2307-PS

The Federal Government is entrusted with the execution of this Federal Constitutional Law.

Vienna, March 13, 1938.

ARTICLE II. The laws at present in force in Austria shall remain in ofrce until further notice. The introduction of Reich law into Austria will be effected by the Fuehrer and Reich Chancellor or by the Reich Minister to whom he may delegate this power.

ARTICLE III. The Reich Minister of the Interior, in consultation with the other Reich Ministers concerned, is empowered to issue the legal and administrative regulations necessary for the implementation and supplementing of this law.

ARTICLE IV. This law shall enter into force on the day of its proclamation.

Linz, March 13, 1938.

ADOLF HITLER, Fuehrer and Reich Chancellor; GOERING, General Field Marshal, Reich Minister of Aviation; FRICK, Reich Minister of the Interior; VON RIBBENTROP, Reich Minister of Foreign Affairs; R. HESS, Deputy Fuehrer.

H1239-0235

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2307-PS

17 November 1945

I, FELIX EDWARD SHARTON, 046312, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2307-PS.

FELIX EDWARD SHARTON,
046312

H1239-0236

PARTIAL TRANSLATION OF DOCUMENT 2360-PS
OFFICE OF U S CHIEF OF COUNSEL

National Socialist Year Book 1935

published with the co-operation of the Reichsleitung
of the N.S.D.A.P.
by
Reichsleiter
PHILIPP BOUHLER
Reich business manager of the N. S. D. A. P.

NATIONAL SOCIALISTISCHES JAHRBUCH 1935

herausgegeben unter Mitwirkung der Reichsleitung
der N.S.D.A.P.
von
Reichsleiter
PHILIPP BOUHLER
Reichsgeschaeftsfuehrer der N.S.D.A.P.

Central Publishing House fo the NSDAP, Franz Eher Succ.
MUNICH - BERLIN

Zentralverlag der NSDAP Franz EHER Nachf.,
MUENCHEN - BERLIN.

(Page 212)

It was reserved for the nationalsocialist revolution of 1933, for the first time in German history to introduce the construction of a unified German state. Adolf Hitler never left any doubt from the first days of his political activity that he considers the first mission of Nationalsocialism to create a German Reich in which the will of the people can be directed in to one direction, and in which the entire strength of the people can be put into the scales even toward the outside.

(Page 213 - 214)

The relationship between the Reich and the states has been put on an entirely new basis, never known in the history of the German people. It gives to the Reich cabinet (REICHSREGIERUNG) unlimited power, it even makes it its duty, to build a completely unified leadership and administration of the Reich. From now on, there is only one national authority: The one of the Reich! Thus, the German Reich has become a unified state, and the entire administration in the states in only carried out by order or in the name of the Reich. The state borders are now only administration, technical are boundaries but no longer boundaries of sovereignty!

In calm determination, the Reich cabinet (REICHSREGIERUNG) realizes step by step, supported by the confidence of the entire German people, the great longing of the Nation. The creation of the nationalsocialist German, unified state.

(Page 223 - 224)

Actually one cannot speak of an activity of the nationalsocialists in the Reichstag since the new election of 12 Nov 1933. The Fuehrer and people's Chancellor has coupled this last, overwhelming demonstration of popular will with a foreign-political measure, which, so to say, was long overdue, namely the withdrawal of Germany from the League of Nations, which absolutely does not want to be anything else than a willing organ of the "victor nations", mainly France and her vassals, and who refuses, to honor the accepted disarmament obligation on the basis of absolute equality for Germany.

H1239-0237

PARTIAL TRANSLATION OF DOCUMENT 2380-PS
Cont'd

To take away the possibility from the member nation of the league, interested in the continuation of existing conditions, to say, that Hitler's cabinet did not act with the agreement of the majority of the German people, the REICHSPRASIDENT dissolves the Reichstag and with the new election, the electorate was espedially asked, whether it agreed to the foreign political positions of the government or not . Some 42 million voters or 95% of the entidy made the government's position their own, and almost 40 millions or 90% the electorate voted for the list of nominees of the N.S.D.A.P. 661 delegates, who all are members or guests of the nationalsocialist faction, entered the Reichstag. However, there were no other lists of nominees than the one of the N.S.D.A.P.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2380-PS

11. November 1945

I, WILLIARD EVANS SKIDMORE, Lt. (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and the German languages; and that the above is a true and correct translation of Document no. 2380-PS.

WILLARD EVANS SKIDMORE
Lt. (jg) USNR
391590

PARTIAL TRANSLATION OF DOCUMENT 2381-PS
OFFICE OF U S CHIEF OF COUNSEL

H1239-0238

Translation of Extract from the book:

"DER GROSSDEUTSCHE REICHSTAG"
(The Parliament of Greater Germany.)

IV WAHLPERIODE (Fourth Electoral Period)
From 10 April 1938 extended until 30 January 1947.

Published in November 1943
by the R.v.Decker's Verlag G. Schenck Publishing House in Berlin

Biographies of Members of the Parliament of Greater Germany
(Lebensbeschreibungen der Mitglieder des Grossdeutschen Reichstags)

Page 211.

Frick, Wilhelm; Dr. jur., Reichsleiter, (Member of Nazi Party Executive Board), Reich Minister, Reich Protector of Bohemia and Moravia, Privy Councillor for Prussia; 74, Wilhelmstrasse, Berlin W 8 and The Citadel, Prague. Service Command 12, (Thuringia.)

Born on 12 March 1877 in Alsenz; Protestant. Attended elementary school and High School (gymnasium) in Kaiserslautern, studied Law in Munich, Göttingen and Berlin from 1896 to 1900, took the degree of Dr. jur. in Heidelberg in 1901, Law practitioner for Bavaria in Kaiserslautern from 1900 to 1903, Regierungsakzessist to the Government of Upper Bavaria and official attorney to the Police Administration (Polizeidirection) in Munich from 1904 to 1907, assessor to the District Government in Pirmasens from 1907 to 1917, assessor to the Government and high bailiff to the Police Administration in Munich from 1917 to 1925, from 1926 to 1930 with the Main Insurance Bureau (Oberversicherungsamt) in Munich. From 23 January 1930 until 1 April 1931 Minister for the Interior and for Education for Thuringia. Since 1 January 1932 councillor to the government in the Main Insurance Bureau, from 30 January 1933 to August 1943 Reich Minister of the Interior. Appointed Reich Protector of Bohemia and Moravia in August 1943. On 1 April 1924 sentenced to imprisonment for a year and three months by the People's Court in Munich for having taken part in the National Revolution of November 1923. Member of the Reichstag since the 2nd Electorat Period 1924. Leader of the National Socialist Party in the Reichstag.

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CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2381-PS

29 November 1945.

I, PAUL W. FREEDMAN S/Sgt., 33799122, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct partial translation of Document No. 2381-PS.

PAUL W. FREEDMAN
S/Sgt., 33799122

Doc.
2385-PS

2385-P.S.

H1239-0239

Mexico City, D. F.)
) ss.
Mexico

United Mexican States)
Mexico, Federal District)
Embassy of the United) ss
States of America)

GEORGE S. MESSERSMITH, being first duly sworn deposes and says:

During the years 1933 and 1934, while I served as Counsul General of the United States of America in Berlin, I was in close touch because of my duties and because of the necessities of the times with the diplomatic representatives not only of England and France but with those of Yugoslavia, Czechoslovakia, Poland, Hungary, Austria, Bulgaria, Rumania, Greece, Turkey and Holland. I saw the Chiefs of these Missions, most of whom were also close friends of mine, almost every day, as well as some of their principal subordinates once or twice a week and in many cases oftener. In Austria where I went towards the middle of 1934 as Minister, my contacts with the diplomatic representatives of these countries was if anything even closer and more frequent.

I also had frequent contact during my duty in Germany with many high ranking Germans, including Goering, Goebbels, Frank, Schacht, von Papen, Funk, Lammers, Darré, Ley and many others of the same category and in secondary categories. This contact was made necessary by the nature of my duties and in the protection of our interests. While serving in Germany and in Austria, I also kept in close touch with many of the leading diplomatic and political figures in most parts of Europe with the exception of Russis where I happened at the time not to have any specific contact. These contacts which I maintained with diplomatic and political figures in other countries was based on previous associations and I kept in close contact through various trips which I made from time to time and more particularly through confidential correspondence and through mutual friends. From all these sources I obtained an intimate familiarity with the aims and methods of German diplomacy from 1933 until I returned to the United States to assume a position in the Department of State about the middle of 1937.

As early as 1933, while I served in Germany, the German and Nazi contacts which I had in the highest and secondary categories openly acknowledged Germany's ambitions to dominate Southeastern Europe from Czechoslovakia down to Turkey. As they freely stated, the objective was territorial expansion in the case of Austria and Czechoslovakia. The professed objective in the earlier stages of the Nazi regime, in the remainder of Southeastern Europe, were political and economic control and they did not at that time speak so definitely of actual absorption and destruction of sovereignty. Their ambitions, however, were not limited to Southeastern Europe. From the very beginnings of 1933, and even before the Nazis came into power, important Nazis speaking of the Ukraine freely said that "it must be our granary" and that "even with Southeastern Europe under our control, Germany needs and must have the greater part of the Ukraine in order to be able to feed the people of greater Germany". After I left Germany in the middle of 1934 for my post in Austria, I continued to receive information as to the German designs in Southeastern Europe. In a conversation with von Papen shortly after his appointment as German Minister to Austria in 1934, von Papen frankly stated to me that "Southeastern Europe to Turkey is Germany's Hinterland and I have been designated to carry through the task of bringing it within the fold. Austria is the first on the program." As I learned through my diplomatic colleagues, von Papen in Vienna and his colleague von Mackensen in Budapest, were openly propagating the idea of the dismemberment and final absorption of Czechoslovakia as early as 1935.

H1239-0240

The Nazis planned to gain their aims by force, preferably by the threat of force alone if possible, and by war if needed. At the beginning, however, - that is in the first two years of the Nazi regime - the Nazis wanted peace to give themselves time - that is time to arm - then to divide and isolate their intended victims. I have often heard prominent Nazis say in 1933 and 1934, and I translate literally, "We must have peace until we are ready". By the late summer of 1938, they felt themselves ready.

Immediately after the Nazis came into power they started a vast rearmament program. This was one of the primary immediate objectives of the Nazi regime. As a matter of fact, the two immediate objectives of the Nazi regime when it came into power had to be and were, according to their own statements frequently made to me; first, to bring about the complete and absolute establishment of their power over Germany and the German people so that they would become in every respect willing and capable instruments of the regime to carry through its ends; and second, the establishment of a tremendous armed power within Germany in order that the political and economic program in Southeastern Europe and in Europe could be carried through by force if necessary, but preferably by a threat of force. It was characteristic that in carrying through this second aim they emphasized from the very outset the building of an overpowering air force. Goering and Milch often said to me or in my presence that the Nazis had decided to concentrate on air power as the weapon of terror most likely to give Germany a dominant position and the weapon which could be developed the most rapidly and in the shortest time. In 1934 from a high ranking General in the German Army, whose name I cannot recall for the moment, I learned that they planned to build 1200 planes that year, which was a huge air force for that period and something in terms that no one had thought of before in any country. The rapid development of this air program was obvious to everyone for one could not go out on the streets in Berlin or in any other City of importance in Germany without seeing pilots and air force trainees in evidence everywhere. They were given special privileges and special housing in order to encourage young men to enter the air training program. The rearmament program as a whole, it should be emphasized, proceeded with unbelievable rapidity. It proceeded more quickly, as high Nazi leaders themselves stated to me, than they themselves believed would be possible. It proceeded more rapidly than even informed and trained foreign observers in Germany would have believed possible even though they knew the resources of the German industrial machine.

At the same time that this rearmament program was in progress, the Nazi regime took all possible measures to prepare the German people for war in the psychological sense. Throughout Germany, for example, one saw everywhere German youth of all ages engaged in military exercises, drilling, field maneuvers, practicing the throwing of hand grenades, etc. In this connection I wrote in an official communication in November 1933, from Berlin as follows:

> "..... Everything that is being done in the country today has for its object to make the people believe that Germany is threatened vitally in every aspect of its life by outside influences and by other countries. Everything is being done to use this feeling to stimulate military training and exercises, and innumerable measures are being taken to develop the German people into a hardy, sturdy race which will be able to meet all comers. The military spirit is constantly growing. It cannot be otherwise. The leaders of Germany today have no desire for peace unless it is a peace which the world makes at the expense of complete compliance with German

H1239-0241

desires and ambitions. Hitler and his associates really and sincerely want peace for the moment, but only to have a chance to get ready to use force if it is found finally essential. They are preparing their way so carefully that there is not in my mind any question but that the German people will be with them when they want to use force and when they feel that they have the necessary means to carry through their objects ..."

Military preparation and psychological preparation were coupled with diplomatic preparation designed to so disunite and isolate their intended victims as to render them defenseless against German aggression. I well remember one conversation I had with Goebbels in the earliest period of the Nazi Government, in which I expressed the opinion that they could never get away with their program in Europe. His reply was "But you don't know what we can do by creating dissension - without anything being done specifically on our part or which can be laid to our door, we will get these people to fight among themselves and so weaken themselves that they will be an easy prey for us". I can still recall the cynical manner in which he specifically indicated the "sore spots" in Austria and in Czechoslovakia and in other countries and on which by insidious means German agents could arouse dissension and get the peoples in the countries themselves disunited.

From surface appearances and judging from historical standards only, the obstacles to the achievement of the Nazi objectives were formidable indeed. Completely aside from the difficulty of bringing about complete coordination within Germany and complete control, and in carrying through such a huge military program, there were these definite obstacles in the political and diplomatic field. In 1933 France was the dominant military power on the Continent. In the interest of security she had formed within the framework of the League of Nations, a system of mutual assistance both in the West and in the East. The Locarno Pact of 1928, supplemented b the Franco-Belgian alliance, guaranteed the territorial status quo in the West. Yugoslovia, Czechoslovakia and Rumania were allied in the Little Entente and each in turn was united with France by mutual assistance pacts. Since 1922, France and Poland had likewise been allied against external aggression. Italy had a special interest in Austrian independence which she made definitely clear. From 1934 to 1936, France and Italy each proposed and endeavored to sponsor political and economic accords to strengthen the powers of resistance of the eastern European countries to German designs. Throughout all of Southeastern Europe, France and Italy both were active through their diplomatic machinery in strengthening the position of these countries and of their independence. The most important of these arrangements were the proposed East Locarno Pact, inspired by France and intended to include all countries in the East, ranging from the Baltic to the Adriatic and Black Sea, and the proposed Danubian Pact which had for its principal objective strengthening the economic position of the countries of Southeastern Europe by promoting mutual trade relations between Austria and the other countries which had recently been part of the Austro-Hungarian Empire.

Nazi Germany launched a vigorous diplomatic campaign to break up these alliances and understandings, to create division among members of the Little Entente and the other Eastern European powers, and to divide all of them from France on whose military power the security of these smaller states in the last analysis rested. To some of these countries, particularly Yugoslavia, Hungary and Poland, Nazi Germany made extravagant and often inconsistent promises

H1239-0242

of territorial and economic rewards as a price for cooperation in the German program of aggression against their neighbors. To other countries, especially France and England, Nazi Germany offered the attractive prize of peace and security as the price of giving Germany a free hand in Southeastern Europe. To allay the fears of its neighbors until Germany had completed its military and diplomatic preparations, Germany cleverly proceeded step by step, always giving solemn assurances that the immediate objective was her last. In making these promises she was uninhibited by any scruples as to the sanctity of international obligations. High ranking Nazis with whom I had to maintain official contact, particularly men such as Goering, Goebbels, Ley, Frick, Frank, Darré and others, repeatedly scoffed at my position as to the binding character of treaties and openly stated to me that Germany would observe her international undertakings only so long as it suited Germany's interests to do so. Although these statements were openly made to me as they were, I am sure, made to others, these Nazi leaders were not really disclosing any secret for on many occasions they expressed the same ideas publicly.

In this specific connection I quote from a letter which I wrote to Under Secretary of State Phillips in Washington, dated March 24, 1934:

> "Her (Germany's) agreement with Poland is only one of a series of agreements which she would like to make to follow out her policy of gaining time and allaying suspicion, but when one realizes what a callous attitude those in power here take now towards agreements of any kind, and hears what they have to say about them, one realizes that they mean nothing more than what they are intended for, i.e. a part of her policy to keep the peace and maintain the status quo until she is prepared to gain her ends through force if they cannot be achieved otherwise".

In the last analysis, however, it was not faith in Germany's promises but fear of German might and possible aggressive action which induced Germany's neighbors, particularly the small ones, to progressively acquiesce in her designs. The huge German rearmament program, which was never a secret, and which was openly announced in the spring of 1935, and Germany's reoccupation of the Rhineland, all done with only mild protests from France and England, and the failure of the League to stop Mussolini's Abyssinian adventure, convinced the peoples of the smaller countries of Eastern Europe that France either could not or would not resist German expansion in the East, that England would not take any positive steps to stop Germany, and that the only thing that was left to them was to make the best possible deal with Nazi Germany.

These considerations to be sure did not convince all people and all political leaders among Germany's neighbors. The Nazis made plain, however, that any opposition which remained would be helpless. She continued the program of stirring up internal dissensions wherever they existed in other countries and openly aided sympathetic Nazi and Fascist and anti-Government groups, particularly in Yugoslavia, Hungary, Rumania, Austria and Czechoslovakia.

Such briefly was the general plan of "German diplomacy" and political action and economic action during these years. I had occasion to follow the details of its operation from close observation during the years 1933 to 1937.

H1239-0243

Austria and Czechoslovakia were the first on the German program of aggression. As early as 1934, Germany began to woo neighbors of these countries with promises of a share in the loot. To Yugoslavia in particular they offered Carinthia. Concerning the Yugoslav reaction, I reported at the time:

> "...The major factor in the internal situation in the last week has been the increase in tension with respect to the Austrian Nazi refugees in Yugoslavia. ... There is very little doubt but that Goering, when he made his trip to various capitals in Southeastern Europe about six months ago, told the Yugoslavs that they would get a part of Carinthia, when a National Socialist Government came into power in Austria. ... The Nazi seed sown in Yugoslavia has been sufficient to cause trouble and there are undoubtedly a good many people there who look with a great deal of benevolence on those Nazi refugees who went to Yugoslavia in the days following July 25."

Germany made like promises of territorial gains to Hungary and to Poland in order to gain their cooperation or at least their acquiescence in the proposed dismemberment of Czechoslovakia. As I learned from my diplomatic colleagues in Vienna, von Papen and von Mackensen in Vienna and in Budapest in 1935, were spreading the idea of division of Czechoslovakia, in which division Germany was to get Bohemia, Hungary to get Slovakia, and Poland the rest. This did not deceive any of these countries for they knew that the intention of Nazi Germany was to take all.

The Nazi German Government did not hesitate to make inconsistent promises when it suited its immediate objectives. I recall the Yugoslav Minister in Vienna saying to me in 1934 or 1935, that Germany had made promises to Hungary of Yugoslav territory while at the same time promising to Yugoslavs portions of Hungarian territory. The Hungarian Minister in Vienna later gave me the same information.

I should emphasize here in this statement that the men who made these promises were not only the died-in-the-wool Nazis but more conservative Germans who already had begun to willingly lend themselves to the Nazi program. In an official despatch to the Department of State from Vienna dated October 10, 1935, I wrote as follows:

> "....Europe will not get away from the myth that Neurath, Papen, and Mackensen are not dangerous people and that they are 'diplomats of the old school'. They are in fact servile instruments of the regime and just because the outside world looks upon them as harmless, they are able to work more effectively. They are able to sow discord just because they propagate the myth that they are not in sympathy with the regime."

At this point in this statement I should set forth the following. When the Nazi Party took over in Germany it represented only a small part of the German population. It dominated all of Germany and rapidly assured itself of that domination by means of organization and terror, the details of which are an historical record and need not be set forth here. At the beginning of 1933, although a few of the Nazi leaders, such as Hitler and Hess and Goering, recognized the idea of world domination, they spoke little of it. At the beginning the great mass of the Party and the regime

H1239-0244

itself had for its open objective the domination of Southeastern Europe. Literally this meant to them at the outset absorption of Czechoslovakia and Austria and complete political and economic control of the other countries down to Turkey. They always excluded mentioning Turkey so as not to greatly disturb Great Britain. As the domination of the Germans increased within Germany as the military program progressed and as the German people increasingly became imbued with the Nazi spirit, and more rapidly than even the most fanatic Nazis had believed possible, their power increased incredibly within and without Germany. Within Germany there was an attitude of complete apathy so far as resistance was concerned. Without Germany in the smaller countries which felt themselves threatened, the fear constantly became greater. It was this growing sense of power and the realization of the fear and lack of measures of resistance from the outside that rapidly caused the Nazi idea to expand with respect to domination over Europe and in fact over the world.

In this connection it must also be borne in mind that most of the higher officers of the German Army during the first years of the Nazi regime lent their aid to the Nazi regime only because they believed that under such a regime they would be able to rebuild the German Army which they had not been able to do under previous German Governments and thus restore the power of Germany in Europe and in the world. At the outset it is probable that only a few of these Generals shared the territorial aggressive idea of the Nazis, but increasingly as the Army saw its power growing from the lower ranks to the upper they became imbued with these aggressive designs just as much as the Nazis.

For a time France and Italy endeavored to counter these moves by Germany, described in the preceding paragraphs. In 1934, Barthou, the very able and discerning French Foreign Minister, endeavored to promote an East Locarno Pact to guarantee the territory of all the Eastern and Southeastern European countries and to provide a guarantee against external aggression by mutual assistance pacts supported by France and Russia. France also continued her efforts to foster an economic accord between Austria and the other Danubian powers which had previously been members of the Austro-Hungarian Empire, while Italy sought to organize a more limited economic bloc of Austria, Hungary and Italy.

The Nazi German Government made every effort to prevent the carrying through of these accords. To Yugoslavia, for example, Germany made promises of support for Yugoslavia's ambitions with regard to Italian territory, particularly Trieste, as well as to a share of Austria. Germany's object was by sowing discord between Yugoslavia and Italy to prevent France from reaching an agreement with both of them and hence to frustrate all hopes of bringing an East Locarno Pact into being. In October 1934, I reported from Vienna, as follows:

> "...The Foreign Minister called attention to the reports which they have with respect to the intensive diplomatic activities of Germany in Warsaw, in Belgrade, in Sofia, and in Budapest. They have information, he told me, from a very reliable source that the present German policy is to create hopes and unrest, particularly in Belgrade and Sofia, so that when King Alexander goes to Paris he will face the French with a situation which will make it impossible for them to reach any agreement with Italy. The Wilhelmstrasse believes, according to the Minister's information, that if Barthou has no success at Rome the present French Ministry will

H1239-0245

have to resign on his return and a stronger left Ministry formed, with which the Wilhelmstrasse can reach some agreement. The Foreign Minister said that he did not think the Germans would succeed in this, or that a failure of the French-Italian conversations would necessarily result in a change in the French Cabinet. He did say, however, that the French-Italian agreement would be difficult because he had just learned this morning that King Alexander had been very successful during his Sofia visit which ended just a few days ago..."

To offset any moves in the direction of economic cooperation among the Danubian States, Germany made lavish but frankly insincere promises of economic support, on condition of cooperation with her. During my tour of duty in Germany, a Nazi economist named Deutz (I believe this is the correct spelling of his name) sought me out frequently. He did not occupy a very high position in the Government but was used as one of the active instruments by high Nazi leaders in Southeastern Europe. He made frequent trips to Yugoslavia, to Hungary and also on occasion to Rumania. For some reason which I could never fully determine he sought me out frequently and on returning from these trips he would tell me frankly what he had been doing and of the promises he had made of economic gains as reward for cooperating with Germany. At the same time, he, of course, cynically told me that Germany had no intention of carrying through these promises and remarked: "How dumb these people are to believe in such promises".

At the same time that Germany held out such promises of reward for cooperation in her program, she stirred up internal dissensions within these countries thsmselves and in Austria and Czechoslovakia in particular, all of which was designed to so weaken all opposition and strengthen the pro-Nazi and Fascist groups as to insure peaceful acquiescence in the German program. Her machinations in Austria I have related in detail, as they came under my direct observation, in a separate affidavit. In Czechoslovakia they followed the same tactics with the Sudeten Germans. I was reliably informed that the Nazi Party spent over 6,000,000 marks in financing the Henlein party in the elections in the spring of 1935 alone. In Yugoslavia she played on the old differences between the Croats and the Serbs and the fear of the restoration of the Hapsburgs in Austria. It may be remarked here that this latter was one of the principal instruments and most effective ones which Nazi Germany used as the fear in Yugoslavia, in particular, of a restoration of the Hapsburgs was very real. In Hungary she played upon the agrarian difficulties and at the same time so openly encouraged the Nazi German elements in Hungary as to provoke the Government of Hungary to demand the recall of van Mackensen in 1936. In Hungary and in Poland she played on the fear of Communism and communist Russia. In Rumania she aggravated the existing anti-semitism, emphasizing the important role of the Jews in Rumanian industry and the Jewish ancestry of Lupescu. Germany undoubtedly also financed the Fascist Iron Guard through Codreneau.

Such "diplomatic" measures reinforced by Germany's vast rearmament program had a considerable effect, particularly in Yugoslavia, Poland and Hungary, and sufficient at least to deter these countries from joining any combination opposed to German designs, even if not enough to persuade them to actively ally themselves with Nazi Germany. Important political leaders of Yugoslavia began to become convinced that the Nazi regime would remain in power and would gain its ends and that the course of safety for Yugoslavia was to play along with Germany. This became so obvious from direct information which I had that I wrote in September 1934, from Vienna, as follows:

H1239-0246

"...The attitude of the Yugoslavs has been most disturbing. There is no question but that the Germans have complicated the already difficult problem existing between Italy and Yugoslavia by promising the Yugoslavs territorial and other advantages. There are a lot of people in Yugoslavia who feel that the present Government in Germany will stay, that it will be able to force its will on the rest of Europe and that their best bet is to play with Germany for they will get most out of it in that way in the end. This section of opinion in Yugoslavia believes that Austria will eventually succumb to Germany and that when this comes Yugoslavia will get a good slice of present Austrian territory and in addition have German support against Italy which will eventually lead to her realizing what now seems unrealizable aspirations in other directions. This sentiment in Yugoslavia explains the benevolent attitude shown towards the Nazi refugees from Austria after July 25. Yugoslavia is therefore definitely playing the dog in the manger. She will not break with France for the present and burn her bridges there, nor with the other States of the Little Entente, but she is definitely playing with Germany and it would appear that at the moment is inclined to place more dependence of Germany than on French help. The attitude of Poland has naturally encouraged Yugoslavia and what they believe to be the wavering attitude of Hungary is an additional element of encouragement to them..."

In Hungary the same attitude was becoming increasingly obvious. In the same letter I wrote from Vienna in September 1934, with respect to developments in Hungary, I quote as follows:

"...In Hungary the revisionist feeling is stronger than perhaps in any of the other Succession States, and it is this feeling which has the major influence in shaping Hungarian policy. Hungary has been flirting with Germany for some time as you know, but doing it very discreetly. The Hungarians feel very friendly towards Austria. They much prefer to see Austria independent. They don't want German domination in Austria or Southeastern Europe. They infinitely prefer the status quo, even without the treaty revision, to German domination in Austria and eventually over them. But they fear Germany and they are afraid that the present Government in Germany will be able to maintain itself, and this means in their minds definite German penetration to the Southeast. The events of June 30 and July 25 caused a real revulsion of feeling in Hungary and strengthened the feeling that they wanted to see Austria remain independent, but the feeling of fear of Germany has more recently made headway again.

"Kanya, the Foreign Minister, was in Berlin, I think now several months ago, and I know that he saw Hitler, Schacht, Neurath, and Blomberg. He came back to Hungary with the feeling that the present regime would be able to maintain itself, and strengthened therefore in his policy of maintaining an equivocal position. Hungary therefore must be considered among the States constantly wavering and endeavoring to carry water on both shoulders..."

H1239-0247

Poland, prompted by her territorial designs on Teschen, and fearful of being caught in a war between Germany and Russia, almost openly began to follow the German line, and particularly with respect to the dismemberment of Czechoslovakia. In the fall of 1935, I reported from Vienna in this connection as follows:

> "...The part which Poland is playing at this time and has been playing for some months is a very dangerous one and, in the opinion of many, not a creditable one. Poland owes her existence to France and England, and it was Czechoslovakia, whose country they now want to help divide up, who helped to make possible the new Poland. In her eagerness for prestige and additional territory she is willing to turn on her old friends and to play a rather sorry role...
>
> "...The Czechoslovakian Minister here informs me that Czechoslovakia has an arbitration treaty with Poland which in the first paragraph covers all disputes which might arise. When some time ago the Poles arbitrarily dismissed some twenty Czechs from responsible positions in Poland and no arrangement of the difficulties could be found, the Czech Government proposed arbitration, and to this day the Polish Government has not replied and refused to take any action. The Poles have an air line between Warsaw and Vienna which passes over Czechoslovakia, and when that was instituted the Czechs agreed with the reservation that when they wished to institute a line over Poland the Poles would agree. The Polish line has been in operation for some time, and when the Czechs recently wished to institute a commercial line over Poland the Poles refused to give permission. The Czechs retaliated by taking action which stopped the Polish Vienna-Warsaw route. It is well known that the Czechs are giving the Polish minorities in Czechoslovakia schools, etc., while the Poles are refusing to do anything of this kind for the Czechs in Poland. It seems to be a deliberate dog-in-the-manger policy which cannot give any confidence in the Polish procedure..."

The effect was to make these countries apathetic to the annexation of Austria and cooperative in the dismemberment of Czechoslovakia. I reported in October 1935, in this respect as follows:

> "...Yugoslavia, because of the fear of her minorities, prefers Anschluss to Hapsburg restoration in Austria, in the vain hope that this might avoid catastrophe for her. Anschluss would not avoid catastrophe for Yugoslavia, but only postpone it and make it more sure. Hungary remains fundamentally pro-German, due to the false idea that her revisionist hopes will get satisfied in that direction sooner than others. She does not realize that the revisionist satisfaction which she hopes to get from Germany would only be the forerunner of later loss of sovereignty. The fact that there are Hungarians who realize that this turning to Berlin is the sure road to ruin does not keep Hungary from putting her foot on this road.
>
> "Because Czechoslovakia has entered into a military agreement with Russia, and Rumania is about to do the

H1239-0248

> same, and Yugoslavia is considering it, Berlin is trying to convince Poland and Hungary that this is a Soviet threat to them. The real object, of course, is to get their cooperation in the disintegration of Czechoslovakia and the fastening of the yoke on Austria as the first step towards progress to the Southeast..."

As the Nazi leaders of Germany realized, however, that these limited and uncertain gains were not sufficient to insure the success of her program, they did not lessen their rearmament at home so as to increase terror and fear. Austria and Czechoslovakia might easily have been saved and her neighbors persuaded to combine with them in mutual self defense if England and France at that time, with or without Italy's assistance, had shown adequate evidence of resisting the German program. Nazi leaders at that time were most insistent and persistent in endeavoring to determine the reactions to their program in Italy and in France and to a certain extent in the United States. They were eager to know to what degree these countries would resist their program. They had no regard as to what the smaller countries of Europe might feel or think or do. Their physical power was already so great that that was no longer a matter of concern to them. I recall conversations with Nazi leaders at this stage, when I happened to see them in Germany on trips from Vienna to Berlin, during which they showed a childish eagerness to get my reaction to what they were doing and when I told them that they were precipitating a war in which Germany would be defeated and her power in Europe destroyed, not for generations but perhaps for centuries, they laughed in my face and said that England and France and we would do nothing and they knew it.

Germany succeeded in preventing any such combinations by creating divisions and by persuading France and England to acquiesce, as the price of peace, in the German expansion in Southeastern Europe, in exchange for precarious security in the West.

While Italy openly opposed efforts at Anschluss with Austria in 1934, Italian ambitions in Abyssinia provided Germany with the opportunity to sow discord between Italy and France and England and to win Italy over to acceptance of Germany's program in exchange for German support of Italy's plans in Abyssinia. The Nazis made little effort to conceal their motives in supporting Italian colonial adventures. In the summer of 1935, I was informed by a person whose name I do not recall at this time but who was thoroughly informed as to all developments in Germany, that the Nazis were eagerly awaiting an Italian-Abyssinian war to give them a free hand in Central Europe. I reported at the time:

> "...He emphasized that in the party it was definitely reckoned with that war between Italy and Abyssinia was inevitable, and that this would cause disturbances in the European situation which the regime felt it must be free to reap all benefit from..."

Germany, of course, did take advantage of the situation to force Austria into the July 11, 1936 accord, which, as I have explained in a separate affidavit, was the first critical step in the disintegration and eventual downfall of Austria.

The Nazis fully realized, however, the necessity for the neutralization of France and England, as a part of their strategic preparation for war, and they left no stone unturned to achieve it. Almost from the beginning of the Hitler regime, the Nazis sought to make a deal with France. The terms of the deal with France were

H1239-0249

security for France in the West in exchange for freedom of action for Germany in the East. Very soon after coming to power, Hitler announced that apart from the Saar, Germany coveted no territory of France and thereafter he often repeated these assurances, particularly on the occasion of each new treaty violation or act of aggression in the East. Acceptance of the deal would of course reduce France to a second-rate power. To gain French acquiescence, the Nazis made powerful appeals to all classes of French society. To the left, they played on the profound pacifist sentiment of the masses. To the right, they emphasized the fear of communism, fears which took several forms, either that the Nazis, after the reoccupation of the Rhineland, were invulnerable in the west and could be stopped in the East only by the Red army, or conversely (after the purge of the Russian army in 1937) that Russia could not fight Germany, but intended to let France and England exhaust themselves in a war with Germany and then arise in the end the only victor.

To England, the Nazis made substantially the same arguments, and appealed in addition to those who disapproved of French military hegemony and the alleged inequalities of the Versailles Treaty. As an evidence of their alleged desire to reach a permanent understanding with England, Germany "accepted" a naval limitations treaty and dangled before the eyes of the British Government the prize of a Locarno Air Pact.

In order to assure wider acceptance of these arguments, Germany did not hesitate to attempt to arrange to involve England and France elsewhere in order to give Germany a freer hand in Eastern Europe. Germany actively supported Italy in both her Abyssinian and Spanish adventures, thereby embroiling Italy with France and England. By means of an understanding with Italy announced in 1936, and by the formation of the anti-Comintern Pact with Japan at about the same time, Germany created such potential dangers for England in the Mediterranean and in the Far East as to discourage England from continuing to maintain the commitments undertaken by her in Eastern Europe.

These German measures with respect to France and England were surprisingly effective. The French Ambassador in Berlin, M. Francois Poncet, who was married to a member of one of the powerful industrial families of France, was persuaded that German military might could not be matched and as I learned from friends in the French Foreign Office, sent home many defeatist reports. As early as the fall of 1935, I learned from these same friends and others that France was preparing to abandon its commitments in the Southeastern part of Europe in exchange for promises of security within her own borders. The Nazis appeared to have equal success in undermining British sentiment. The "conversion" of Lord Lothian and the attitude of the London Times beginning in 1935 are a matter of historical record. The attitude of such conservatives was naturally reflected in British diplomacy.

Germany was ready. She had completed her rearmament program. She had sown discord among her intended victims in Eastern Europe.

H1239-0250

She had won tacit English and French acceptance for German expansion in the East in exchange for a promise of peace in the West. Germany was ready now to march. The rest is written history.

/s/George S. Messersmith

Subscribed and sworn to before me, William L. Brewster, a Vice Consul of the United States of America, duly commissioned, and qualified, in Mexico, D. F., Mexico, this 30th day of August, 1945.

/s/ William L. Brewster

William L. Brewster
Vice Consul of the United States
of America

Service No. 6809
Tariff No. 38
No fee prescribed.

PARTIAL TRANSLATION OF DOCUMENT NO. 2403-PS
OFFICE OF US CHIEF OF COUNSEL

"DOCUMENTS OF GERMAN POLITICS"

(Dokemente der deutschen Politik)

Vol. 1, Page 55, and 1st paragraph of page 56.

C. The End of the Party State.

Between the 27th of February and the 14th of July 1933, the Party State was finally eliminated in Germany. Hence, an event of gigantic historical importance took place during these four and one half months.

The blow of the Communist Party for which the Reichstag fire was to be a signal, has backfired on its originators. Already during the night of the 27th to the 28th of February the organization of the Communist party was completely smashed(1)

(1) Note at bottom of page "See page 18ff"

On 9 March, the Reich Minister of the Interior, Frick, had already announced that the Communists would prevented from participating in the session of parliament at the opening of the Reichstag on March 21st because of their being more usefully occupied. The preliminary law nonncerning the incorporation of the lands (Länder) into the Reich of 31st March 1933 (See Doc. 62) legalized the elimination of the Communists as representives of the German people which had already been carried out in practice. On the 26th of May 1933, the law concerning the confiscation of property of the Communists (Doc. 23) has dealt the final legislative blow to German Communism.

While political organizations were broken up or disintegrated, their supporters wavered back and forth seeking shelter here and there, for instance in individual cases in the "STAHLHELM" and in the German National "Kampfringe". Because of these conditions, the German National "Kampfringe" were dissolved on June 21st, 1933. The "Stahlhelm" prohibited in its formations "any party membership other than that of the NSDAP" according to the agreement of June 21st, 1933 (Doc 34). Numerous restraints had already been imposed on the activities of the Social Democratic Party by the measures of February 28. The backbone of the party was broken by the occupation of the buildings of the trade unions and the smashing of the Free trade unions on May 2, 1933 (Doc. 55). A decree of the Prussion Minister of the Interior concerning the prohibition of activities of the Social Democratic Party of Germany was issued on June 22, 1933 (Doc 25). The orderfor safeguarding the state leadership of July 7, 1933 (Doc. 30) annuls the mandates of the Social Democratic Party in German public corporations. The law concerning the confiscation of the property of the enemies of people and State of July 14, 1933, extended the provisions of the law concerning the confiscation of Communistic Property to the property of the Social Democratic Party and other organizations inimical to the State.

On June 27, 1933, the German National People's Party decided its dissolution "in recognition of the fact that the party state had succumbed", after an agreement with the Reich Chancellor (Doc 26). On July 4, 1933, the party chairman of the German People's Party, Dingeldey, announced the dissolution of his party (Doc. 28).

Also the parties of German catholicism, which were supposed to be most deeply rooted, had to bow to the law of the new order. On July 4, 1933, the Bavarian People's Party (Doc 27) and on July 5, 1933, the Center Party (Doc 29) published an announcement of their dissolution.

TRANSLATION OF DOCUMENT NO. 2403-PS.
(Contd)

The law against the recreation of parties of July 14, 1933 (Doc.31) concluded the liquidation of the Party State. Only recreation of parties was thereby prevented. A new epoch of German history began which was founded on the inseparable association of the State and the one party and movement of the NSDAP.

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CERTIFICATE OF TRANSLATION (Partial)
OF DOCUMENT NO. 2403-PS

11 November 1945

I, WALTER R. SELIGSON, 1st Lt, Ord, O-1558904 hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2403-PS.(Partial)

WALTER R. SELIGSON
1st Lt. Ord.
O-1558904

H1239-0252

PARTIAL TRANSLATION OF DOCUMENT 2513-PS
Office of U.S. Chief of Counsel

THE NATIONAL SOCIALIST WORKERS PARTY AS AN ASSOCIATION HOSTILE TO THE STATE AND TO THE REPUBLICAN FORM OF GOVERNMENT AND GUILTY OF TREASONABLE ACTIVITY.

DIE NATIONALSOZIALISTISCHE DEUTSCHE ARBEITERPARTEI ALS STAATS - UND REPUBLIKFEINDLICHE HOCHVERRATERISCHE VERBINDUNG.

Excerpts from a confidential report of the Police Division, Prussian Ministry of the Interior of 1930.
p. 47
On October 7, 1929, National Socialist District Leader Terboven of Essen announced in a meeting:

This weakness is especially known to Severing, who symbolizes the present State, and he intends to render a service to the State, which is breathing its last, but this too will no longer save the present corrupt parliamentarian system. . . But I give such a dictatorship only four weeks. Then the people will awaken, then the National Socialists will come to power, and then there will not be enough lamp posts in Germany . . .

The Bolshevik government is sitting on a volcano, and the German ~~government~~ is in the same situation. The National Socialists will do everything to further this explosion. . . When in the future we call the present representatives of the government to account, they will not be able to defend their actions as representatives of a parliamentarian system. They will have to answer with their heads to the German people, and particularly to the National Socialists, for their actions in the past. If this struggle continues with growing intensity the ward-heelers of the Marxist movement will hit the ceiling and the National Socialists will see that they won't get back on the ground on their feet . . . . . .

The National Socialists will march into the new Reichstag with thirty members; then there will be black eyes every day in this Reichstag; thus this corrupt parliamentarian system will be further discredited; disorder and chaos will set in, and then the National Socialists will judge the moment to have arrived in which they are to seize the political power.

p. 48.

On October 18, 1929, Reichstag deputy and present Thuringian Minister of the Interior Doctor Frick discussed the fight against the Young Plan in a meeting in Pyritz:

This fateful struggle will first be taken up with the ballot, but this cannot continue indefinitely, for history has taught us that in a battle, blood must be shed, and iron broken. The ballot is the beginning of this fateful struggle.

We are determined to promulgate by force that which we preach. Just as Mussolini exterminated the Marxists in Italy, so must we also succeed in accomplishing the same through dictatorship and terror.

- -

CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 2513-PS

Nov. 17, 1945

I, LUDWIG HARTMAN, T/4, ASN 37446052, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct partial translation of Document No. 2513-PS.

LUDWIG HARTMAN,
T/4, ASN 37446052

PARTIAL TRANSLATION OF DOCUMENT 2513-PS
Office of U.S.Chief of Counsel

THE NATIONAL SOCIALIST WORKERS PARTY AS AN ASSOCIATION HOSTILE TO THE STATE AND TO THE REPUBLICAN FORM OF GOVERNMENT AND GUILTY OF TREASONABLE ACTIVITY.

DIE NATIONALSOCIALISTISCHE DEUTSCHE ARBEITERPARTEI ALS STAATS- UND REPUBLIKFEINDLICHE HOCHVERRAETERISCHE VERBINDUNG.

H1239-0254

Excerpts from a confidential report of the Police Division, Prussian Ministry of the Interior of 1930.

Pp. 36 to 38.

(Frick's testimony)

The same ideas are expressed by Dr. Frick who, next to Hitler has to be regarded at that time as the most influential representative of the NSDAP and who is at present the Thuringian Minister of the Interior, in an article entitled "Die Nationalsocialisten im Reichstag, 1925/26" (The National Socialists in the Reichstag 1925/26), which appeared in the Nationalsocialistische Jahrbuch for 1927, pages 123-124:

There is no National Socialist and no racialist who expects any kind of manly German deed from that gossip club on the Koenigsplatz and who is not convinced of the necessity for direct action by the unbroken will of the German people to bring about their spiritual and physical liberation. But there is a long road ahead! After the failure of November 1923, there was no choice but to begin all over again and to strive to bring about a change in the spirit and determination of the most valuable of our racial comrades, as the indispensable prerequisite of the success for the coming fight for freedom. Our activities in parliament must be evaluated as merely a part of the propaganda work.

Our participation in the parliament does not indicate a support but rather an undermining of the parliamentarian system. It does not indicate that we renounce our anti-parliamentarian attitude, but that we are fighting the enemy with his own weapons and that we are fighting for our National Socialist goals from the parliamentary platform.

At the Reich Party Convention of the NSDAP at Nuernberg in August 1927, Frick declared:

The National Socialists long for the day when the well-known lieuten with his ten men put an inglorious but well-deserved end to this infernal sham (the parliament) and will open the way for a racial dictatorship.

2513B-PS

And on October 18, 1929, at a National Socialist meeting in Pyritz, he stated:

This fatal struggle will first be taken up with the ballot, but this cannot continue indefinitely, for history has taught us that in a battle blood must be shed and iron broken. The ballot is the beginning of this fateful struggle... Just as Mussolini exterminated the Marxists in Italy, so must we also succeed in accomplishing the same through dictatorship and terror.

Although in the latter half of 1929 the NSDAP daily expected the dissolution of the Party or of its auxiliary organizations, Dr. Frick expressed himself (though cautiously) as follows:- in an article entitled "Die Nationalsocialisten im Reichstag 1928-29" (the National Socialists in the Reichstag, 1928-29), which appeared in the Nationalsocialistische Jahrbuch for 1930, page 178:

No wonder that as the situation of the entire German people, as well as that of the individual racial comrades grows rapidly worse, increased numbers are realizing the incompetence of the parliamentarian system and no wonder that even some who are responsible for the present system desperately cry for a dictatorship. This, however, will not save them from their fate of one day being called to account before a German State Tribunal.

H1239-0255

continuation of partial translation
of document 2513B-PS

For some time, the threat of a National Socialist "State Tribunal" against the representatives of the Republic - in the event of the establishment of the Third Reich - has played a special role in the thoughts and utterances of National Socialist leaders. The Constitutions of the Reich (Article 59 of the Constitution of the Reich) and of the states, already provide for the impeachment of cabinet members before a constitutional "State Tribunal". However, in their threats, the National Socialists do not refer to such a constitutional procedure but rather to a different procedure which according to the present situation is possible only through a violent overthrow - a typical phenomenon of successful revolutions. Therefore,, to these National Socialist announcements of the establishment of a "State Tribunal", we must ascribe the clear and indisputable significance of an avowal of the principle of violent overthrow which is the goal of the National Socialist Party.

Inspite of their optimism, the National Socialists cannot count on winning the majority of the people within a reasonable time, thereby gaining legal validity for their ideology. Their cry for a dictatorship is the best proof that they themselves do not expect this to happen. They also very openly state that even as a minority they wish to achieve their goal by force. This immediately excludes the legality of their action.

I, Ilse Grainger, Civilian, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of parts of document 2513B-PS.

Ilse Grainger

Exhibit USA 714
Filed Jan. 16, 1946

TRANSLATION OF DOCUMENT 2608-PS
OFFICE OF U S CHIEF OF COUNSEL

H1239-0256

The Ad ministration in Wartime

by

Dr. Wilhelm Frick
Reichsminister of the Interior
Freiburg, I940

Lecture given by Dr. Frick on March 7, I940 before the University of Freiburg, Breisgau

pages I3-I7

..... The organization of the non-military national defense fits oganically into the entire structure of the National Socialist government and administration. This state of affairs is not exceptional, but a necessary and planned (sinnvoll) part of the National Socialist order. Thus, the conversion of our administration and economy to wartime conditions has been accomplished very quickly and without any friction-avoiding the otherwise very dangerous changes of the entire structure (of the State).

The planned preparation (of the administration) for the possibility of a war has already been carried out during the peace. For this purpose, the Fuehrer appointed a Plenipotentiary General for the Reich Administration and a Plenipotentiary General for the Economy. The Plenipotentiary for Administration was placed in charge of the coordination of the non-military administrations, with the exception of the Administration of Economics. Therefore, the following agencies were subordinated to him. the Reich Ministry of the Interior, the Reich Ministry of Justice, the Reich Ministry of Education, the Reich Ministry of Church, the Reich Agency for Planning. The Plenipotentiary General for Economy was placed in charge of the economic administration with the exception of the armament industry. It became his duty to make use of all economic forces in the interest of the defense of the Reich, and to guarantee the security of the economic existance of the German people. He took charge of the Reich Ministry of Economics, of the Reich Ministry of Nutrition, of the Reich Ministry of Labor, of the Reich Forestry Agency and the Reich Commissioner for Price Policy. The Plenipotentiary for Administration and the Plenipotentiary for Economics have the right to make decree laws in mutual agreement and with the agreement of the High Command of the German Armed Forces, such decree laws can deviate from existing laws. In order to simplify the legislation for the purpose of war, a "three man college" was created.

2608-PS

The jurisdiction of the Plenipotentiary for Economy w as restricted after the outbreak of war. This restriction was the result of the competition in jurisdiction between the Plenipotentiary for Economy and the Commissioner for the Four Year Plan. During the time of peace, the Commissioner for the Four Year Plan had the duty of bringing the ecomomy of the Reich to a peak by using the existing raw materials and by decreasing the dependency if the German economy of foreign countries as much as possible, on the other hand, the Plenipotentiary for Economy had the special task of the ecomomic preparation for war. After the outbreak of the war, the job of the Commissioner of the Four Year Plan had to be extended as a purely wartime ecomomic measure. Under these cicumstances, a clear demarcation of the jurisdiction and competency was urgent. This was done upon the suggestion of the Plenipotentiary for Economy in the following way.: The Commissioner of the Four Year Plan, General Field Marshal Goering, took over the direction of the entire war economy, the activities of the Plenipotentiary for Economy were restricted to economic policy and to financing the war in line with the duties of the Reich Ministry of Economics and the Reich Bank. In order to. guarantee the coordination of the various economic agencies of the Four Year Plan, these agencies into a General Council under the chairmanship of General Field Marshal Goering, its members are the State Secretaries of the agencies working in the field of war economy, the Chief of the Military Office for Economy, and a representative of the Deputy of the Fuehrer,

It is the chief duty of this General Council to coordinate the work of the various agencies, receive and examine the reports on the various war machine which might become necessary. It is a working community which clears the most important questions and makes the policy for their solution. However, the execution of the various measures, especially the drafting of the necessary decrees, remains the job of the proper agencies.

The Plenipotentiary for the Reich Administration, the Commissioner of the Four Year Plan and the Plenipotentiary for Economy direct the administration and the economy which are under their jurisdiction. Since the Fuehrer was occupied, after the outbreak of the war, with urgent military and political duties, it became necessary to create an organ which would relieve him and take over the concentrated direction of administration and economy in line with the needs of the defense of the Reich. -- The military leadership remained, of course, in the hands of the Armed Forces. For this purpose the Ministerial Council for the Defense of the Reich was formed from the Reich Defense Council. Within the organization of our State, the position of the Ministerial Council for the Defense of the Reich is characterized by the fact that for the duration of the war, it became the highest permanent organ of the Reich with comprehensive jurisdiction, responsible only to the Fuehrer.

The composition of the Ministerial Council for the Defense of the Reich shows the real concentration of power in it. General Field Marshal Goering is the chairman and also the Supreme Director of the War Economy and Commissioner for the Four Year Plan. He is joined by the Plenipotentiary General for the Reich Administration, who directs the entire civilian administration with the exception of the economic administration, and the Plenipotentiary General for Economy. The Chief of the High Command of the Armed Forces is the liaison man to the Armed Forces. It is primarily his duty to coordinate the measures for civilian defense in the area of administration and economy with the genuine military measures for the defense of the Reich. The Deputy of the Fuehrer represents the Party, thus guaranteeing the unity between Party and State also within the Ministerial Council for the Defense of the Reich. The Reich Minister and Chief of the Reich Chancellory is in charge of the business management of the Ministerial Council for the Defense of the Reich.

In order to perform its duties, the Ministerial Council for the Defense of the Reich has the power to issue decree laws. This power is restricted only insofar as the Fuehrer may order the passing of a law by the Reich Cabinet or the Reichstag. Otherwise the legislative power of Ministerial Council for the Defense of the Reich is without restriction, it has the power to regulate everything by decree. The circumscription of the duties as laid down in the introductory remark on the Decree about the Formation of the Ministerial Council for the Defense of the Reich shows the goals and the laws passed by the Reich Cabinet and the Reichstag, the decrees of the cooperation of the Fuehrer. Numerous basic decrees have already been issued by the Ministerial Council for the Defense of the Reich e.g. the Decree about the Appointment of Commissioners for the Reich Defense of September 1, 1939, the Decree about Measures concernit the Law of Public Officials of September 1 1939, the Decree on War Economy of September 1 1939, the decree concerning personal Damages of September 1, 1939. By various decrees of the Ministerial Council for the Defense of the Reich, laws have been technically changed or even abolished

No further explanation is necessary for the fact that the Ministerial Council for the Defense of the Reich has the power to give directives in individual cases -- this power is not expressly mentioned in the Decree about the Formation of the Ministerial Council for the Defense of the Reich. However, this power is a result of the duties and the position of the Ministerial Council for the Defense of the Reich.

H1239-0257

H1239-0258

TRANSLATION OF DOCUMENT 2608-PS
OFFICE OF U S CHIEF OF COUNSEL

It was a result of the concentration of the power to give directives, a power which is in the hands of the individual members of the Ministerial Council for the Defense of the Reich, especially the Commissioner of for the Four Year Plan and the Plenipotentiaries for the Administration and the Economy of the Reich and also of the Deputy of the Fuehrer.

The Ministerial Council for the Defense of the Reich, the highest legislative and executive organ in wartime next to the Fuehrer, created a subordinate organ for the purpose of the defense of the Reich: The Commissioners for the Reich Defense, who have their headquarters at the seat of the individual corps area.

12 Nov. 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT 2608-PS

I, GERHARD SCHAEFER, 2nd Lt , O-1332102, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of Document 2608*PS

GERHARD SCHAEFER
2nd Lt.
O-1332102

2679-PS

TRANSLATION OF DOCUMENT ~~2124~~-PS
OFFICE OF U S CHIEF OF COUNSEL

H1239-0259

1938 REICHSGESETZBLATT, PART I, PAGE 594

Decree Introducing the Nürnberg Racial Laws
into the Land of Austria
20 May 1938

Verordnung über die Einfuhrung der Nürnberger Rassingesetze
im Lande Österreich.
Vom. 20 Mai 1938

Pursuant to Article II of the law relating to the re-union of Austria with the German Reich, 13 March 1938 (Reichgesetz Bl. I, P. 237), the following is ordered:

ARTICLE I
LAW RELATING TO CITIZENSHIP OF THE REICH
Section 1

The following are applicable to the Land of Austria:

1. The Law Relating to Citizenship of the Reich of 15 September 1935 (Reichsgesetz Bl. I, p. 1146).

2. Section 2, Sub-Section 2, Section 4, Sub-Sections 1, 3 and 4, Sections 5 and 6, Sub-Section 1, and Section 7 of the First Decree under the Law Relating to Citizenship of the Reich of 14 November 1935 (Reichsgesetz Bl. I, p. 1333).

Section 2

The effective date of Section 1, Sub-Section 2, of the Reich Citizenship Law will be determined by the Reich Minister of the Interior.

Section 3

The elimination of Jews from public offices which they hold on the effective date of this decree will be specially regulated.

Section 4

For the application of Section 5, Sub-Section 2, of the First Decree under the Reich Citizenship Law, 16 September 1935 will be considered the effective date of the Reich Citizenship Law in Austria also, and 17 September 1935 will be considered the day on which the law for the Protection of German Blood and Honor came into effect.

ARTICLE II
THE LAW FOR THE PROTECTION OF THE BLOOD
Section 5

The Law for the Protection of German Blood and Honor of 15 September 1935 (Reichsgesetz Bl. I, P. 1146) and the First Decree for the implementation of this Law of 14 November 1935 (Reichsgesetz Bl. I, p. 1334) are applicable to the Land of Austria.

Section 6

Section 3 of the Law for the Protection of the Blood will become effective on 1 August 1938.

Section 7

For the application of Section 12, paragraph 3, of the First Decree for the implementation of the Law for the Protection of the Blood, the 16 September

1935 is also to be considered the effective date of the Law for the Protection of the Blood in Austria.

H1239-0260

Section 8

1. A marriage cannot be entered into unless it is proved by the testimony of the local Burgermeister of the bride's permanent residence that there is no obstacle to the marriage according to the provisions of the Law for the Protection of the Blood and of the First Decree for the implementation of this law. If the bride has no permanent residence in Austria, the competence of the Burgermeister is determined by the further Provisions of Section 3 of the General Administrative Procedure Law (Austrian BG. BL. #274/1925).

2. If the Burgermeister has any doubt about the existence of a marriage obstacle in the sense of Section 6 of the First Decree for the implementation of the Law for the Protection of the Blood, he must demand a Marriage Fitness Certificate from the bride and groom of the official physician.

Section 9

In the application of Section 15, sentence 2, of the First Decree for the implementation of the Law for the Protection of the Blood, the former possession of Austrian citizenship is equivalent to the former possession of German citizenship.

ARTICLE III
PROCEDURE REGULATIONS
Section 10

In annulment proceedings, the provisions of the Austrian Law relating to the jurisdiction and the procedure of the courts in lawsuits relating to the annulment of marriages are applicable, subject to the following limitations:

1. The suit is to be made against both spouses. If the public prosecutor or one of the spouses files an appeal, then in the first case both spouses and in the second case the public prosecutor and the other spouse are to be considered as adverse parties.

2. The regulations relating to compulsory representation by counsel are not applicable to the public prosecutor.

3. If the public prosecutor is defeated, the Treasury is obliged to refund the expenses incurred by the spouses, according to Sections 40 et seq., of the Austrian Civil Law.

4. No counsel for the defence of the marriage bond will be appointed.

5. The suit can only be filed, if both spouses are alive. If one of the spouses should die before the sentence is executed, the case is to be considered in the main as closed.

Section 11

The court of first instance has jurisdiction over violations of Section 5, Sub-Sections 1 and 2, of the Law for the Protection of the Blood.

H1239-0261

ARTICLE IV
CONCLUDING PROVISIONS
Section 12

If regulations introduced into Austria by this decree cannot be applied according to the letter, they are to be applied according to the spirit.

Section 13

This decree comes into effect on the day after its promulgation.

Berlin, 20 May 1938.

The Reichsminister of the Interior
Frick

The Deputy of the Führer
Hess

The Reich Minister for Justice
per Dr. Schlegelberger.

- -

CERTIFICATE OF TRANSLATION
OF DOCUMENT ~~2124~~-PS
2679

7 November 1945.

I, ARNE OLSEN, 2nd Lt AUS, O-2015976, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of Document No. ~~2124~~-PS.
2679

ARNE OLSEN
2nd Lt AUS
O-2015976.

H1239-0262

PARTIAL TRANSLATION OF DOCUMENT 2742-PS
OFFICE OF U S CHIEF OF COUNSEL

2742-PS. Nationalsozialistisches Jahrbuch (National Socialist Yearbook) 1927, p. 124

Passage written by FRICK

There is no National Socialist and no racialist who expects any kind of manly German deed from that gossip club on the Koenigsplatz and who is not convinced of the necessity for direct action by the unbroken will of the German people to bring about their spiritual and physical liberation. But there is a long road ahead. After the failure of November, 1923, there was no choice but to begin all over again and to strive to bring about a change in the spirit and determination of the most valuable of our racial comrades, as the indispensible prerequisite for the succes of the coming fight for freedom. Our activities in parliament must be evaluated as merely part of this propaganda work.

Our participation in the parliament does not indicate a support, but rather an undermining of the parliamentarian system. It does not indicate that we renounce our anti-parliamentarian attitude, but that we are fighting the enemy with his own weapons and that we are fighting for our National Socialist goal from the parliamentary platform.

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CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT 2742-PS

21 November 1945

I, GERARD SCHEFER, 2nd Lt, Inf, O-1332102, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct partial translation of Document 2742-PS.

GERARD SCHEFER,
2d, Lt, Inf, O-1332102

H1239-0263

DOCUMENT NO. 2978-PS
OFFICE OF U.S. CHIEF OF COUNSEL

OFFICES AND POSITIONS HELD BY DEFENDANT WILHELM FRICK

It is hereby agreed that Wilhelm Frick, a defendant in the action pending before the International Military Tribunal, was appointed or elected, as the case may be, to the positions and held the offices entitled thereto during the time as set forth below:

1. Member of the Nazi Party, 1925 -1945.
2. Reichsleader of the Nazi Party, 1933-1945.
3. Floor leader of the Nazi Party in the Reichstag, 1928-1945.
4. Minister of the Interior and of Education of Thuringia, 23 January 1930 to 1 April 1931.
5. Chief of Division, Munich Police Department, 1917 to 10 November 1923.
6. Official in the Social Insurance Office, Munich, 1926 to 23 January 1930 and 1 April 1931 to 30 January 1933.
7. Reichsminister of the Interior, 30 January 1933 to 20 August 1943.
8. Prussian Minister of the Interior, 1 May 1934 to 20 August 1943.
9. Reichsdirector of elections, 1933 to 20 August 1943.
10. Member of the Reichs Defense Counsel as General Plenipotentiary for the administration of the Reich, 21 May 1935 to 20 August 1943.
11. Member of the Ministers' Council for the defense of the Reich, 21 Mai 1935 to 20 August 1943.
12. Reichs Protector for Bohemia and Moravia, 20 August 1943 to 1945.
13. Reichsminister without portfolio, 20 August 1943 to 1945.

2978-PS

CERTIFICATE

I hereby certify that the above is true this 14 day of November 1945.

/s/ Frick
DEFENDANT

/s/ Dr. Pannenbecker
ATTORNEY FOR DEFENDANT

H1239-0264

TRANSLATION OF DOCUMENT 2986-PS
OFFICE OF U S CHIEF OF COUNSEL

I, Wilhelm Frick, being first duly sworn, depose and say:

I was Plenipotentiary for Reich Administration (Generalbevellmaechtigter fuer die Reichsverwaltung) from the time when this office was created, until 20 August 1943. Heinrich Himmler was my deputy in this capacity. Before the outbreak of the war my task as Plenipotentiary for Reich Administration was the preparation of organization in the event of war, such as, for instance, the appointment of liaison men in the different ministries who would keep in touch with me. As Plenipotentiary for Reich Administration, I, together with the Plenipotentiary for Economy and the OKW formed what was called a "3-Man College" (Dreierkollegium). We also were members of the Reich Defense Council (Reichsverteidigungsrat), which was supposed to plan preparations and decrees in case of war which later on were published by the Ministerial Council for the Defense of the Reich. Since, as soon as the war started, everything had to be done speedily and there would have been no time for planning, such measures and decrees were prepared in advance in case of war. All one then still had to do was to pull out of the drawer the war orders that had been prepared. Later on, after the outbreak of the war, these decrees were enacted by the Ministerial Council for the defense of the Reich.

(Signed) Dr. Wilhelm Frick

Subscribed and sworn to before me this 19th day of November 1945 in Nuremberg, Germany.

(Signed) Warren F. Farr
Major, Judge Advocate General's Department
Army of the United States
Office of U.S. Chief of Counsel for Prosecution of Axis Criminality

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CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 2986-PS

21 November 1945

I, WALTER E. MENKE, Civilian, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 2986-PS, as corrected.

WALTER E. MENKE
Civilian

H1239-0265

DOCUMENT 3043-PS
OFFICE OF U.S. CHIEF OF COUNSEL

AFFIDAVIT

Statement of

WILHELM FRICK

I, WILHELM FRICK, being first duly sworn on oath state: That:

1). I was responsible for the drafting of the law of 16 March 1935 re-introducing military conscription in the Reich.
But this was only a natural development pronounced in earlier time by Hitler, since lefting the League of Nationes and the Disarmament Conferences.

2.) If you give any guilt for all these developments there can be two things. Either you can say I helped Hitler to come into power. This seemed to me at the time a very good thing to happen because he actually was the strongest political person and he had proved his strength: After taking over power he eliminated unemployment. The later development however could not be recognized in 1933. And the second thing you can charge me with is this: After I have been with Hitler and seen what is going on regarding the elimination of my influence I did not open and sharp protest against the new "Kurs" introduced by Himmler and go out of the cabinet, also against the will of Hitler, whom I often have offered my demission. But also such a demission would not have changed the direction of the policy. Only a persecution of my person would have been the consequense.

That the facts stated above are true; that this declaration is made by me voluntarily and without compulsion; that after reading over the statement I have signed and executed the same at NUERNBERG/GERMANY this day of November 1945.

(signed): Dr. Wilhelm Frick
WILHELM FRICK

Subscribed and sworn to before me at NUERNBERG/Germany this 5th day of January 1946.

(Signed): Thomas S. Hinkel
THOMAS S. HINKEL
Lt. Col., I.G.D.

H1239-0266

TRANSLATION OF DOCUMENT NO. 3051-PS
OFFICE OF U.S. CHIEF OF COUNSEL

First Document: (Translator's note: sheet of paper approximately 4 inches by 6 inches, containing pencil notes as follows:)

General Field Marshal
has noted.

initials illegible
20 Nov.

I.A. (by order)
initials illegible
15 Nov 38

Second Document:

COPY

II
I. Teletype

Berlin, 10 November 1938

1) To all Headquarters and Stations of the State Police.

2) To all Sections and Sub-sections of the SD.

Urgently to be submitted!

Re: Measures against Jews.

Following my order of tonight, I explicitly point out that looting will be barred under all circumstances by using corresponding measures.

Looters are to be arrested. For more details, instructions will be given by me.

The Reich Ministry of Justice (Reichsjustizministerium) has instructed all Public Prosecutors to put at the disposal of the State Police the prisons to hold the arrested Jews.

In addition, the Reich Ministry of Justice asks that in no case are orders to be issued against persons who may have been arrested during the action.

Finally, the Reich Ministry of Justice has instructed the Public Prosecutors not to proceed in any interrogation on matters of the Jewish actions (Judenaktionen).

All this exclusively for your information.

The Chief of the Security Police

/s/ Heydrich

3051-PS

Third Document:

COPY

Berlin, 10 November 1938.

Chief of the Security Police

I. Teletype

To all Headquarters of the State Police.

H1239-0267

Referring to my teletype instructions, I instruct you once more that whenever, during the protest action, looting has occurred, you should proceed ruthlessly, by intensive interrogations, to establish the persons guilty and to secure the objects of the looting.

I ask you to inform me by 11 November 1938, at 8 AM, by telegram, all cases of looting known to you, indicating just the facts and the guilty persons if found.

Before turning over these persons to the examining judge, you must get my instructions.

If necessary, the Kripo can be used to clear up the facts.

Chief of the Security Police

/s/ Heydrich

Fourth Document:

S E C R E T

Copy of Teletype from Munich, 10 November 1938, 1:20 AM.

To all
Headquarters and Stations of the State Police.

To all
Districts and Sub-districts of the SD.

Urgent! Submit immediately to the Chief or his deputy!

Re:
Measures against Jews tonight.

Because of the attempt on the life of the Secretary of the Legation vom Rath in Paris tonight, 9-10 November 1938, demonstrations against Jews are to be expected throughout the Reich. The following instructions are given on how to treat these events:

1) The Chiefs of the State Police, or their deputies, must get in telephonic contact with the political leaders (Gauleitung oder Kreisleitung) who have jurisdiction over their districts and have to arrange a joint meeting with the appropriate inspector or commander of the Order Police (Ordnungspolizei) to discuss the organization of the demonstrations. At these discussions the political leaders have to be informed that the German Police has received from the Reichsfuehrer SS and Chief of the German Police the following instructions, in accordance with which the political leaders should adjust their own measures.

a) Only such measures should be taken which do not involve danger to German life or property. (For instance synagogues are to be burned down only when there is no danger of fire to the surroundings).

b) Business and private apartments of Jews may be destroyed but not looted. The police is instructed to supervise the execution of this order and to arrest looters.

c) On business streets, particular care is to be taken that non-Jewish business should be protected from damage.

d) Foreigners, even Jews, are not to be molested.

H1239-0268

2) The demonstrations which are going to take place should not be hindered by the police provided that the instructions quoted above in section 1 are carried out. The police has only to supervise compliance with the instructions.

3) Upon receipt of this telegram, in all synagogues and offices of the Jewish communities the available archives should be seized by the police, to forestall destruction during the demonstrations. This refers only to valuable historical material, not to new lists of taxes, etc. The archives are to be turned over to the competent SD offices.

4) The direction of the measures of the Security Police concerning the demonstrations against Jews is vested with the organs of the State Police, inasmuch as the inspectors of the Security Police are not issuing their own orders. In order to carry out the measures of the Security Police, officials of the Criminal Police as well as members of the SD of the "Verfuegungstruppe" and the allgemeinen SS may be used.

5) Inasmuch as in the course of the events of this night the employment of officials used for this purpose would be possible, in all districts as many Jews, especially rich ones, are to be arrested as can be accommodated in the existing prisons (Haftraeumen). For the time being only healthy men not too old are to be arrested. Upon their arrest, the appropriate concentration camps should be contacted immediately, in order to confine them in these camps as fast as possible. Special care should be taken that the Jews arrested in accordance with these instructions are not mistreated.

6) The contents of this order are to be forwarded to the appropriate inspectors and commanders of the Ordnungspolizei and to the districts of the SD (SD-Oberabschnitte und SD-Unterabschnitte), adding that the Reichsfuehrer SS and Chief of the German Police ordered this police measure. The Chief of the Ordnungspolizei has given the necessary instructions to the Ordnungspolizei, including the fire brigade. In carrying out the ordered measures, the closest harmony should be assured between the Sicherheitspolizei and the Ordnungspolizei.

The receipt of this telegram is to be confirmed by the Chiefs of the State Police or their deputies by telegram to the Gestapo, care of SS Standartenfuehrer Mueller.

/s/ Heydrich,
SS Gruppenfuehrer.

Fifth Document:

C O P Y

Teletype

To all Headquarters of the State Police
" " Districts and Sub-districts of the SD.

H1239-0269

Protest actions are stopped (see information of press and radio).

An increased patrol activity is to be instituted for the coming night in cooperation with the Order Police (Ordnungspolizei).

Actions still taking place should be barred. However, the justified indignation of the population should be taken into consideration.

Ruthless proceedings should be taken against looters.

The arrests should be continued without restriction and exclusively by the Staatspolizei (leit) stellen.

Chief of the Security Police

/s/ Heydrich

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 3051 PS

25 November 1945

I, FELIX EDWARD SHARTON, X-046312, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. 3051 PS.

FELIX EDWARD SHARTON
X-046312

TRANSLATION OF DOCUMENT NO. 3058-PS
OFFICE OF US CHIEF OF COUNSEL.

The General Field Marshal has been informed. No steps are to be taken.

By Order
Roe (?)
15. 11. 38

The Chief of the
Security Police
LL B 4 - 5716/38 g

Berlin SW 11, 11 Nov. 1938
Prinz-Albrecht Strasse 8
Tel. A 2 Flora 0040.

P. 1 of
original

SECRET

Express letter

To:

The Prime Minister
Generla Field Marshal Goering. For the attention of Dr. Fritzbach
Secretary to the Ministry,

Berlin W 8,
Leipzieger Str. 3.

Subject: Action against the Jews.

The reports of the State Police offices which have so far been received up to 11. 11. 1938 the following general impression:

In numerous cities, looting of Jewish shops and business premises has occured. In order to avoid further looting, stron action was taken in all cases. 174 persons were arrested for looting.

The extent of the destruction of Jewish shops and housed cannot yet be verified by figures. The figures given in the reports: 815 shops destroyed, 171 dwelling-houses set on fire or destroyed, only indicate a fraction of the actual damage caused, as far as arson is concerned. Due to the urgency of the reporting, the reports received to date are entirely limited to general statements such as " numerous " or " most shops destroyed ". Therefore the figures given must have been exceeded considerably.

191 Synagogues were set on fire, and another 76 completely destroyed. In addition 11 parish halls, (GEMEINDEHAUSER) cemetery chapels and similar buildings were set on fire and 3 more completely destroyed.

20,000 Jews were arrested, also 7 Aryans and 3 foreigners. The latter were arrested for their ownsafety.

36 deaths were reported and those seriously injured were also numbered at 36. Those killed and injured are Jews. One Jew is still missing. The Jews killed include one Polish national, and those injured include 2 Poles.

(Signed) Heydrich K.

3058-PS

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 3058-PS

26 November, 1945

I, ENID M. STANDRING, P/O WRNS, 52012, hereby certify that I am thoroughly familiar with the English and German languages, and that the above is a true and correct translation of Document No. 3058-PS.

ENID M. STANDRING
P/O WRENS, 52012

PARTIAL TRANSLATION OF DOCUMENT 3085-PS
OFFICE OF U.S.CHIEF OF COUNSEL

Number 27 Berlin, 7 July 1943 8th (104th) Year.

Ministerial Gazette of the

Reich and Prussian Ministry of the Interior

Published by the Reich Ministry of the Interior

X X X X X X X X X X X X

(Page 1085 Line 1 to Line 14)

General. Tasks of the Police

Punishable acts by Jews.

Notice of the Reichsfuehrer of the SS and Chief of the German Police in the Reichministry of the Interior of 3 July, 1943.

-S-III A 5 b No. 22 IV/ 43-176-3

All punitive reports which are made as well as all punitive and investigation procedures instigated by the authorities against Jews are to be referred for further processing without delay to that State police (main) agency, (Staatspol.(Leit-)Stelle) located in the permanent or temporary residence of the Jew concerned. If the Jew is suspected of trying to escape or if the danger exists that the course of law may be prejudiced, he is to be arrested and to be turned over without delay to the state police (main) agency with the available documentary evidence.

To all police authorities. - MBliV. S. 1085.

X X X X X X X X X X X X

I, Audrey Flandreau, Civ., 046305, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 3085-PS.

AUDREY FLANDREAU
Civ., 046305

H1239-0272

5666

PARTIAL TRANSLATION OF DOCUMENT 3086 PS
OFFICE OF U.S. CHIEF OF COUNSEL

August 1943 The Archiv p. 347
Reference book on Politics, Economics, Culture.

Das Archiv

Nachschlagewerk Für Politik, Wirtschoft, Kultur

Changes in leading positions. Si 25.8.43

The Fuehrer has relieved the Reich Protector in Bohemia and Moravia, Konstantin Frhr v. Neurath, from his duties at his request. The Fuehrer has appointed Reich Minister Dr. Wilhelm Frick, Reich Protector in Bohemia and Moravia and subsequently relieved him from his duties as Reich and Prussian Minister of the Interior and Delegate General for the Reich administration. Frh. v. Neurath and Dr. Frick will remain Ministers of the Reich. The first secretary of state in the Reich Ministry of the Interior, Hans Pfundtner, was retired by the Fuehrer at his request.

The Fuehrer has appointed the Reich leader of the SS and chief of the German Police Heinrich Himmler to the posts of Reich and Prussiah Minister of the Interior, and also Delegate General for the Reich administration - xxx

The Fuehrer has appointed the state secretary at the Reich Protector in Bohemia and Moravia, Karl Hermann Frank, Minister of State and has given him the status of a Minister of the Reich. ÷

CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 3086 PS

27 November 1945

I, T.W. SCHONFELD , 51029, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct partial translation of Document No. 3086 PS.

T. W. SCHONFELD
51029

PARTIAL

TRANSLATION OF DOCUMENT NO. 3119-PS
OFFICE OF U.S. CHIEF OF COUNSEL

Exhibit USA 711
Filed Jan. 16, 1946

Partial translation of Dr. Wilhelm Frick and his Ministry
(Dr. Wilhelm Frick und sein Ministerium)
Edited by Staatssekretaer of the Reich and Prussian Ministery of the Interior, Hans Pfundtner
Published by Franz Eher, Munich, 1937

Page 19 line 1 to page 22 line 18:

Immediately after the Reichstag election of 5 March 1933 in the Reich Ministry of Interior the work began according to the directives of Reich Minister Dr. Frick; this work concerned those great basis laws of the National Socialist State which in their incredibly rapid succession, classical form and epoch-making contents aroused admiration at home and abroad. First was the law"about the elemininaction of the misery of the people and of the Reich",dated 24 March 1933, the so-called"enabling law" (Ermaechtigungsgesetz) which in the memborable Reichstag session of 23 March was passed by 144 votes against 94 votes of the Social Democrats and on the same day was unanimously accepted by the Reichrat. This law eliminated the obsolete method of the legislative machinery of Weimar and gave to the Fuehrer and his Cabinet wide powers to reorganize Germany by means of "Cabinet Legislation".

Already a week later on the basis of this "enabling law" the "Preliminary law" about the coordination (Gleichschaltung) of the states with the Reich appeared, enacted by the Reich Minister of the Interior 1933, the so-called "first coordinating law", which secured an equal development of the political will in the Reich, in the states and in the communities on the basis of the results of the Reichstag election.

Again only a week later, prepared and countersigned also by the Reich Minister of Interior, Dr. Frick, the second law "for the coordination of the states with the Reich",dated 7 April 1933, was decreed, the so-called law of the Reich governors(Reichsstatthaltergesetz) which represented the decisive step to reorganize the state judicial relations between the Reich and the states; by appointing Reich governors as special trustees of the Fuehrer, it secured forever a uniform political state leadership in the Reich and the States.

This first law of the Reich governors, which meanwhile has been superseded by the second law of the Reich governors of 30 January 1935, was followed again, scarcely a week later, by the "law for the reestablishment of the professional officials"(Berufsbeamte), the so-called law about the professional officials; through it the Reich Minister of Interior, Dr. Frick, as the minister of the Reich officials, created the possibility to purge the Prussian-German officials, the best ones in the world, from all stages of the Weimar Republic(Systemzeit)and to transform them into appropriate tool for the great building work of the Fuehrer. It was this law which realized the essential program points of the National Socialistic German Workers Party and , above all, in the so-called"Aryan-paragraph", is created an entirely new law through which it has become the model for numerous other laws.

The following laws which have been issued by the Reich Minister of the Interior served also to reorganize the state laws of the Reich in the course of 1933: the"Law on Plebiscite", dated 14 July 1933, which made it possible for the Reich Cabinet to question the German people directly; the law "against the reorganization of the parties", dated 14 July 1933, which put an end to the parties of the Weimar Republic(Systemparteien) and , above all, the basis law"to secure the unity of party and state", issued 1 December 1933, which contains in its first paragraph the proclamation of the National Socialistic State as a result of the National Socialistic revolution: "After the victory of the National Socialistic revolution the National Socialistic German Workers Party is the bearer of the German State concept and is indissolubly connected with the State"! On the first anniversary of the National Socialistic revolution,i.e. on 30 January 1934, Reich Minister Dr. Frick issued the famous law "on the reconstruction of the Reich", which was unanimously agreed upon the Reichstag, unanimously accepted by the Reichrat and which at that time was justly called by the Fuehrer in his Reichstag speech "the basis for the continuation of the National revolution". This short law, condensed in only six laconical paragraphs of one to two lines, brings about a condition in state legislation represents the fulfillment of a many hundred years old German dream and the end of the development of the thousand years. The unity in state leadership corresponds to the unity of national will and the unity of the state corresponds to the unity of the People!

3119-PS

H1239-0274

There is only one State power left in German , that of the Reich. The states derive their last authority from the Reich! There is no contrast between the governments of the Reich and those of the states, between the Reich Ministers and the state ministers! All their activities rest upon the same will of the one Fuehrer! In all fields they execute only the directives given by him. Their work serves only the welfare and greatness of the nation which has been unified in the unified German Reich! Through this basis law the Reich Minister of the Interior received particularly important powers such as the supervision over the Reich governors (Reichsstatthalter) and the authorization to decree executive orders and administratives regulations. On the basis of this authorization the Reich Minister of Interior issued already on 2 February the first decree about the reorganization of the Reich, through which he made detailed regualtions about the subordination of the state governments under the Reich Cabinet in the spirit of the law for reconstruction.

Further laws which have been prepared by the Frick ministry for the reorganization of the state legislation in 1934 were the law about the "discontinuation of the Reichsrat" of 14 February 1934 and above all; the law about the "supreme head of the German Reich" of 1 August 1934, through which, after the death of the Reich President General Feld Marschall von Hindenburg, all the powers of the Reich President were transferred to the Fuehrer and Reich Chancellor Adolf Hitler, with the combination of the two offices this law represents a further basic law of the National Socialistic State, by clarifying forever the sweeping powers of the Supreme head of the State, Adolf Hitler. The importance which was attributed to this law by the Fuehrer and the Reich Chancellor himself, is shown by his decree to the Reich Minister of Interior, dated 2 August 1934, through which he requested from him to immediately submit the constitutionally valid authorization of his person which was agreed upon by the cabinet to the German people for a free plebiscite!

The third anniversary of the National Socialistic seizure of power, 30 January 1935, again offered an opportunity to the Reich Minister of the Interior, Dr. Frick, to submit for approval to the Reich Cabinet three further laws which were particularly important for the reorganization of the Third Reich in the fields of state legislation and administrative legislation. In first place, the "German order for the communities" which already in its introduction proves to be a basic law of National Socialistic State and which has the purpose to quality and enable the communities to perform the highest achievment in close cooperation with party and state, in order to attain the goal of the state. Furthermore the second law already mentioned, about the state governors(Reichsstatthelter) which directly carries on the Reich reform continued by the law of reconstruction, by organizing the State governors into a central administrative agency in the middle echelon(mittelinstanz) of the Reich. And finally the law about the "provisional Administration of the Saarland", by which the Saarland which was reunited with Germany by the declaration of faith of the German population of the Saar on 13 January 1935, was incorporated into the administration of the Reich, whereby the Reich Minister of Interior was given important powers as a "Saar minister". Among the further laws of 1935, which served the State construction and were issued by directive of the Reich Minister of Interior, I have to mention the following: The law of the Reich labor service of 26 June 1935, by which the national Socialistic state declares the Reich labor service for all young Germans of both sexes as an honorary service to the German people; the three Nurnberg laws which were decreed by the German Reichtag on the memorable Party Day of Freedom on 15 September 1935: the "law of the Reich Flag", which declares the glorious swastika flag as the Flag of the Reich and the nation, the "law of Reich citenship" which clarifies forever that only that citizen of German or of related blood can be a Reich citizen and thus only bearer of full political rights, who proves by his behavior that he is suited and ready to serve the German people and Reich faithfully. And finally the "law about the protection of German blood and German Honor" through which the purity of the German blood and thus the continued existence of the German people and of the German nation will be secured forever.

H1239-0275

Page 23 line 15 to line 22

Besides, the leading cooperation of the Reich Minister of the Interior in the important field of "military legislation" and thus in the establishment of our armed forces has to be particularly emphasized. After all, the Reich Minister of the Interior is the "civilian" minister of the defense of the country, who in this capacity together with the Reich War Minister not only signed the military law(Wehrgesetz) of 21 May 1935, but in his capacity as the Supreme Chief of the General and inner administration as well as of the police, he has also received from the Fuehrer and Reich Chancellor important powers on the fields of replacement system and of military supervision.

(Wehrueberwachung)

Page 61 line 18 line 31

VII.

In the legally established principle of the unity of party and state the thought finds expression that both institutions serve the same purpose the possible best furthering of the welfare of the German people is their common task. In order to take this principle into account, the minister placed the state machinery at the disposal of the party to the largest extent, as far as the interests of the administration permited it. The directives of 12 January 1936(RM BLi V. p. 49) authorize the party to request officials for its purpose for a period up to two years, to have them participate in its gatherings and to all them for training courses. No disadvantage will result to the officials in their positions from the furloughs granted for this purpose. According to the circular decree of 17 Fubruary 1936(RM BLi V. p. 245), no permission is required for officials to take over unpaid jobs in the NSDAP, in its branches and affiliated organizations. Thus the party in assigning its jobs can dispose over party member officials in the same way as over the other party members.

Page 62 line 16 to page 63 line 13)

In the close connection between party and state the administration must keep itself constantly informed as to what relations the individual official has with the party and its branches. Therefore the officials are instructed to keep their superior authorities continously informed about this. The administration must particularly know those cases when officials who, in view of their party membership, have been given a special post, leave the party or are excluded from it. Therefore an agreement has been reached with the Deputy of the Fuehrer that he will report to the highest agency about the withdrawal of an official from the NSDAP. Then it will investigate the reasons which induced the official to take this step and will ascertain whether he can retain his position or has to undergo disadvantages in his career(Circular decree of 27 February 1936 RMBLi V P 275). A corresponding investigation is introduced when an official will be excluded from the party In order to clearly draw a line between the juridicial spheres of the office and of the party, the minister has made plans to the deputy of the Fuehrer for a decree to be submitted to the Fuehrer.

Another decree of 10 July 1935 aims also at a frictionless cooperation with the party, according to which the official assigned for the compilation of personal matters have to be party members on principle, and the decree of 2 November 1936(RMBLi V p. 1491) which regulates the extent to which party agencies are to be informed about the contents of official documents by receiving copies, by granting a view into the files or by giving information.

An essentail step to realize the principle of the unity of party and state was made by the decree of the Fuehrer dated 24 September 1935(RGBLi I p. 1203) according to which the deputy of the Fuehrer has to take part in the appointment of all officials who have been personally nominated by the Fuehrer and Reich Chancellor. This participation takes place in such a way that a copy of the plan for the promotion will be sent which contains details about the official to be promoted. This opportunity is given to the Deputy of the Fuehrer to voice misgivings against the planned opportunity or promotion.

Thus the minister has done everything conceivable to train officials who are filled with the spirit of National Socialism, are professionally capable and who want to be models to all Germans with their faith to the Reich and the Fuehrer.

H1239-0276

page 182 line 20 to line 24.

In the field of the racial policy the National Socialists and Nationals(Voelkischen) have already in their first days of parliamentary activities, on 27 May 1924 suggested, in order to eliminate the Jews from the body of the German nation,"that all members of the Jewish race should be placed under special laws"

page 195 line 3 to line 14.

"We saw in the movement which at that time was still small and could have been easily supressed--thus testifies Dr. Frick before the people's court in Munich -the germ for Germany's resteration; we were convinced from the beginning that this movement is united to take roots in marxistically infected labor and to lead it back into the national camp. This is why we held one protecting hand over the National Socialistic Party and Hitler. At that time, martial law existed, the police direction had censor posters and gave permission for the meetings. I still remember very well that it was the censorship of posters which caused violent contradiction time and again, also in the state diets and in the government; we surely have eliminated the major makers, but in the case of such a young movement which had to make propaganda it could not be avoided that a certain freedom was granted to it."

page 196 line 30 to line 33.

On 23 January 1930 Dr. Frick, as the first National Socialist received from the hand of the Fuehrer the appointment of a State Minister.

page 199 line 1 to Line 13

While Marxism in Prussia was crushed by the hard fist of the Prussian Prime Minister, Hermann Goering and a gigantic wave of propaganda was initiated for the Reichstag elections of 5 March 1933, Dr. Frick prepared the complete seizure of power in all states of the Reich. All at once the political opposition disappeared, all at once the Main line was eliminated! From this time on only one will and one leadership reigned in the German Reich. On 9 March 1933 the Liberator of Munich from the red Bolshevik rule, general Ritter von Epp, took over the government of Bavaria a Reich Deputy of Adolf Hitler on order of the Reich minister Dr. Frick. With this the seizure of power was completed in all states and the Reich of the National unity was established.

SA and SS occupied the City halls and governmental buildings all over the Reich and hoisted the Swastika flag on the masts as a token of victory.

The National Socialistic revolution had won!

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 3119-PS

Nov 29,1945

I, WILLARD SKIDMORE, Lt(jg) USNR, 39 15 90, hereby certify that I am thoroughly conversant with the German and English languages; and that the above is a true and correct translation of document no. 3119-PS.

WILLARD E. SKIDMORE
Lt. (jg) USNR
39 15 90

PARTIAL TRANSLATION OF DOCUMENT 3123-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1943

Manual for Administrative Officials.

Taschenbuch fuer Verwaltungsbeamte.

II. Reich Ministry of the Interior.

Page 13.

Secretary of State Dr. Stuckart.

He is in charge of the following divisions I (Constitution, Legislation, Administration and incorporated territories) as well as I R (Civil Reichsdefense and occupied territories). The activities of the chief official of the office of the delegate general to the Reichs administration belong also to the sphere of his authority.

Deputy: Min. Dir. Ehrensberger
At the direct disposal of the Secretary of State: Min.R. Kettner
At the direct disposal of the Ministerialdirektor: Reg.Rat von Herder.

Division I (Constitution, Legislation, Administration and incorporated territories) with seven sub-divisions
Head of the division I: Dr. Stuckart, Secretary of State.
Permanent deputy: Ehrensberger, Ministerialdirektor.

Subdivision I Org.: (Constitution and Organization).
Head: Dr. Hoche, Ministerialdirigent.

Subdivision I Adm.: (Legislation and Administrationlaw).
Head: Dr. Hoche, Ministerialdirigent.

Subdivision I Sta.R.: (Citizenship and Race).
Head: Hering, Ministerial Direktor

Page 14.

Subdivision I South East.: (New organization in the South East).
Head: Dr. Hoche, Ministerial Direktor.

Subdivision I BM.: (Protektorate Bohemia and Moravia).
Head: Hering, Ministerial Direktor.

Subdivision I East.: (New organization in the East).
Head: Dr. Hubrich, Ministerial Dirigent.

Subdivision I West.: (New organization in the West).
Head: Dr. Globke, Ministerial Rat.

Counsellors (Ministerialraete): Dr. Arbesser, Driest, Duckart, Klas, Dr. Globke, Dr. Loesener, Muttray, Dr. Rudmann, Dr. Sibeth, Turneck, Dr. Volckart, Frhr. v. Wolff.

Oberregierungsraete: Dr. Feldscher, Eckelberg, Hoffmann (Friedrich), Dr. von Rosen-v. Hoewel, Dr. Stumm. Dr. Sierp.

Regierungsraete: Kunze, Dr. Petz, Dr. Stierwaldt.

PARTIAL TRANSLATION OF DOCUMENT 3123-PS
OFFICE OF U.S. CHIEF OF COUNSEL
cont'd

Other Counsellors and Assistant Counsellors: Klosterkemper, LR Dr. Schmidt-Bruecken, Reichsrichter.

Division I R (Civil Reichsdefense and occupied territories) with three subdivisions.
Head: Ehrensberger, Ministerial Direktor.

Subdivision I R-V (Reichsdefense)
Head: Jacobi, Ministerialrat.

Subdivision I R-W (Military Defensestatute and defencepolicy)
Head: Dr. Pabst, Justice of the Reich.

Subdivision I R-S: (Wardamage).
Head: Dr. Danckelmann, Justice of the Reich.

Counsellors:

Ministerialraete: Jacobi, Klas (at the same time with Division I), Muttray (at the same time with Division I).

Oberregierungsraete: Dr. Fischer, Gueldenpfennig, Dr. Hoffmann (Horst), Dr. Vollprecht.

Regierungsraete: Grigo, v. Herder (at the same time with Division I), Dr. Meyer-Westphalen, Dr. Petz.

Other councellors and Assistant Councellors: Dr. Kuehne, Administrative Judge, Dr. Pabst, Justice of the Reich, Weise, Superior Administrative Judge.

Page 16

Division IV.: (public health and social welfare).
Head: Dr. Cropp, Ministerialdirektor.
Deputy: Dr. Bahmann, Ministerialdirigent. In personnel matters Dr. Krahn, Ministerialdirigent.

Subdivision IV A (Affairs concerning: Organization, Administration and the Budget).
Head: Dr. Bahmann, Ministerialdirigent.

Subdivision IV B (Personnel matters).
Head: Dr. Krahn, Ministerialdirigent.

Subdivision IV C: (Hereditary and Racice Policy).
Head: Dr. Linden, Ministerialdirigent.

Subdivision IV W (Welfare).
Head: Ruppert, Ministerialrat.

Subdivision IV J: (Youth welfare).
Head: Ruppert, Ministerialrat.

Page 20 - 21.

The Plenipotentiary of the Reich for the supervision of elections (NW 7, Unter den Linden 72, Teleph. Serial Line 12 00 34).

H1239-0279

PARTIAL TRANSLATION OF DOCUMENT 3123-PS
OFFICE OF U.S. CHIEF OF COUNSEL
cont'd

Plenipotentiary of the Reich: Dr. Medicus, Ministerialdirigent in the Ministry of the Interior.

Administrator of the Reichselections (Reichswahlleiter) (C 2, Neue Koenigsstrasse 27 - 37, Telephone 52 02 57).
Administrator of the Reichselections (Reichswahlleiter): Godlewski, President of the Reichs Department for Statistics.
Deputy: Dr. Roesner, Superior Justice of Reich Statistics.

CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT 3123 - PS

29 November 1945

I, TIBOR W. SCHOENFELD, 51029, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct partial translation of Document 3123-PS.

TIBOR W. SCHOENFELD
51029

PARTIAL TRANSLATION OF DOCUMENT 3124 PS
OFFICE OF U.S. CHIEF OF COUNSEL

RUDOLF HESS

Speeches

RUDOLF HESS

Reden

1940
Central Publishing House of the NSDAP, Franz Eher Succ. Munich

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Zentranlverlag der NSDAP, Franz Eher Nachf, Muenchen

H1239-0281

(Page 37, line 20 to Page 38 Complete)

On the occasion of your presence here, you yourself may review, how the German people has furnished its house or how it is in the process of doing so. I would welcome it greatly, if you would go out into the rest of the Reich as far as possible and convince yourselves, that new life arises in entire Germany, regardless whether it is in the North or South, East or West, and that the will for reconstruction is taking effect in all strata of the people.

You the no more unemployed, who populate the cities and the highways. On the contrary: Everywhere, new workers are at work. Behold for yourselves the labor service camps, which are a model for the whole world. Inspect the tremendous work on the motor highways in the entire country or the land reclaiming work on the coast. You yourself speak to the people on the outside, so that you can see, that all Germans are filled with a new spirit, that a change has taken place, deep down in our people. And then go out, to pit the truth against lie and slander abroad.

Tell the enemies and the friends of the new Germany, to the one they need not have any malicious joy, to the other, that they do not need to be anxious.

Difficulties are the incentive of action - action is the father of success. Adolf Hitler and his co-fighters have been schooled during the long years before the grasping to power, how one can master difficulties.

You can report abroad. The Germany of Adolf Hitler stands unshakable.

* * * * * * * * * * *

(Page 216 Line 35 to Page 217 Line 9)

Once when the Fuehrer was on his way to the business office, he was suddenly arrested personally. The rest of the party met, and one agreed, that now the moment had come, to stage with the active twelve or fourteen men a coup d'etat and to overthrow the government. At least, one wanted to storm into the police headquarters and to bring Adolf Hitler out of there. However, it did not come finally to this attampt of a coup d' etat, since the Fuehrer was released again before that thanks to a Poehner and FRICK, who then were on the police directorate. I believe, it would have been a disadvantage to the "GIANT PARTY" (Riesenpartei) then, if we would have staged the coup d'etat

* * * * * * * * * * *

(Page 240, line 6 to line 13)

When I spoke after16 March 1935, in the NEUFREI MANNER railroad works, which had previously been the reddest factory in MUNICH, to thousands of the same workers, who had a few years ago sung.MARSEILLAISE, about conscription, I was interrupted again and again with an applause and a jubilation, which I would never thought possible. It was the most beautiful and at the same time, the moving manifestation of my life.

* * * * * * * * * * *

(Page 242, line 8 to line 14)

The organizations of the NSDAP will be used for the enlightenment of the people in questions concerning the race and health, with the aim to improve the race and health of the nation and to increase the population. Thanks to the work of the movement, measures which, like sterilization to prevent a hereditarily diseased

. Offspring, could not have been thought of before, are now considered as self-evident.

PARTIAL TRANSLATION OF DOCUMENT 3124 PS
Continued

(Page 243, line 16 to line 23)

Just as in the home-land, so in foreign lands Germans influenced in the Nationalsocialist sense by the National-Socialist State groups and the local groups of the NSDAP. They are being educated in such a way as to make them proudly conscious again of the fact that they are Germans, to make them hold together and to esteem eachgother. They are thus being educated to put Germans above the subjects of a foreign nation, regardless of their position or origin

* * * * * * * * * * * *

(Page 264, 3rd line from the bottom, Page 265 complete)

When you, my German co-patriots and German seamen from abroad, again take up your work and return to the foreign countries and your ships, then tell those abroad, that you have seen the land of your fathers, and that it was greater and prouder than you had dreamed. Go out and say:

Germany will live
because an Adolf Hitler lives,
and because there is a God in heaven
who is with Germany.

CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 3124 PS

27 November 1945

I, WILLARD EL SKIDMORE, Lt. (jg) USNR, 391590, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct partial translation of Document No. 3124 PS.

WILLARD E. SKIDMORE
Lt. (jg) USNR
391590

PARTIAL TRANSLATION OF DOCUMENT 3125-PS
OFFICE OF U.S. CHIEF OF COUNSEL

"M E I N K A M P F"

by Adolf Hitler
39th Edition
1933
Publisher: Franz Eher, Nachfolger, G.m.b.H., Munich

Page 403

The governments themselves did all they could to undermine and make impossible this process of recovery.
Only two men are exceptions:
The former President of the Police, Ernst Poehner, and his loyal adviser, Oberamtmann Frick were the only high state officials who already, at that time, had the courage to be Germans first and then officials. Ernst Poehner was the only one in a responsible position who did not prostitute himself in order to gain the favor of the masses, but felt responsible toward his folkdom (Volkstum), and was ready to risk and sacrifice all, even his personal existence, for the resurrection of the German people beloved by him above all. He was therefore always the troublesome thorn in the eyes of those mercenary bureaucratic puppets to whom the law of action is prescribed, not by their people's interests and necessary struggle for freedom, but by the command of the employer, without regard for the welfare of the national property entrusted to them.
Primarly, however, his was one of those natures which, in contrast to most guardians of our so-called national authority, do not fear the enmity of those who are traitors to their people and country, but desire it as the normal lot of a decent man. The hatred on the part of Jews and Marxists, their whole fight filled with lies and slander, were his only good fortune amidst the misery of our people.
A man of granite-like integrity, of age-old simplicity and German straightforwardness to whom the saying, "Rather dead than a slave" is not a mere phrase, but rather the essence of his entire personality.
He and his co-worker, Dr. Frick, are in my estimation the only ones among men in government positions, who have the right to collaborate in the establishment of a Bavarian nation.

CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT 3125-PS

12. December 1945

I, MARTHA von GRONEFELD, AGO, X 046272, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 3125-PS.

MARTHA von GRONEFELD

AGO, 046272

H1239-0284

PARTIAL TRANSLATION OF DOCUMENT 3127-PS
OFFICE OF US. CHIEF OF COUNSEL &

"N.S. MonatSchefte" 1937, P. 346.

Reich Leader Dr. Frick is 60 years old.

On 12 March 1937 Party Comrade Dr. WILHELM FRICK, Reich Leader of the NSDAP and Minister of the Interior of the Reich and Prussia, celebrated his 60th anniversary.

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. 3127 - PS

I, ANNEMARIE C. CATLIN, X 046172, hereby certify, that I am thoroughly conversant with the English and German language; and that the above is a true and correct translation of Document Nr. 3127-PS partial.

ANNEMARIE C. CATLIN
X 046172

H1239-0285

PARTIAL TRANSLATION OF DOCUMENT 3128-PS
OFFICE OF U.S. CHIEF OF COUNSEL

"Our Reich Cabinet"

"Unsere Reichsregierung"

published by

Hans Heinz Sadila = Mantau

with the assistance of

Hans Fritzsche - Ernst Jaenicke - Walther Koerber - Hubert Kuehl - Th. v. Zeska

with numerous pictures

1936

Vaterlaendischer Verlag C. A. Weller, Berlin

H1239-0286

PARTIAL TRANSLATION OF DOCUMENT 3128-PS
OFFICE OF U.S. CHIEF OF COUNSEL
(Continue)

Page 87 .....On 25 august 1924 Dr. Frick made the proposition that all Jews in public office in the Reich, in the regions (Laender) and in self administered bodies should be chismissed and the vacant positions should be reoccupied by professional officials, with special consideration for the disabled veterans.....

Page 90 .....When, on 1 April 1931, Dr. Frick, forced by a parliamentary, non patriotic opposition,submitted his resignation, a world of enemies breathed with relief, though particularly his fearful bourgeois colleague minister. Adolf Hitler sent him a note of thanks: "Pary member Minister Dr. Frick! A year ago, in order to demonstrate the willingness of the NSDAP to take part in the responsibility, you assumed the ministry of the interior in Thuringia at my request. During this time you worked superhumanly. You have fallen victim to the old German treachery. But be convinced that your name has become known in the National Socialist movement and way beyond it. Millions and again millions of people see in you the first German minister who had the courage to acknowledge is being of our people and to fight its enemies. We all believe unshakeafly in the hour when you will again - and this time for always- be called to serve our people in a responsible position .....

Page 92 - 93 After the 30th of January the first task was to secure the government's power and to fortify the regime against the counterattacks which immediately commenced from red and pink-red quarters. Dr. Frick provided with on iron fist for the succes of the absolute authority of the government. It was made plain to the regional government that there was no sense in opposing the goals of the Reich government. A worning was given against all separatist efforts. There is no main line for the Reich government. Before the black-red obstructionists could come to their senses the Reich commissars sent by minister Frick appeased and exated law and order.....

CERTIFICATE OF TRANSLATION
OF DOCUMENT No 3128-PS

27 November 1945

I, WOLFGANG E. THORMANN, M/Sgt., 33779426, hereby certify that I am thoroughly conversant with the English and German language; and that the above is a true and correct translation of Document 3128-PS.

WOLFGANG E. THORMANN
M/Sgt.
33779426

PARTIAL TRANSLATION OF DOCUMENT 3131 PS
OFFICE OF U S. CHIEF OF COUNSEL

H1239-0287

Racial Eugenius
in the Reich Legislation

Rassen- und Grbpflege in der
Gesetzgebung des Reiches

by
Dr. Wilhelm Stuchart Dr. Rudolf Schiedermair
Page 14

Leipzig 1943

. . .

3) One can consider the aims of the racial legislation as already achieved and the racial legislation therefore as mainly concluded. As stressed above, it has brought about a preliminary solution of the Jewish problem and at the same time substantially prepared the final solution. Many of the provisions will loose their practical importance to the same extent as Germany in getting close to the final goal of the Jewish problem.

CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 3131 PS

27 November 1945

I, T.W. SCHONFELD, 51029, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct partial translation of Document No. 3131 PS

TRANSLATION OF EXTRACTS OF DOCUMENT 3132-PS
OFFICE OF U. S. CHIEF OF COUNSEL

H1239-0288

Dates of the history of the NSDAP

Page 15 1924 Prosecution of Hitler

February 26: Beginning of the trial at the Peoples court Munich I, at the former Infantry School in Munich, Blutenburgstrasse, presided over by District-Judge G. Neidhardt; Defence Counsel: 1). Public Prosecutor L. Stenglein. For high treason resp. aiding and abetting, are indicted: Adolf Hitler (defended by L. Roder Soliciter), General Erich Ludendorff, councillor of Supreme Court of Appeal Ernst Pöhner, High bailiff Dr. Wilhelm Frick; the leader of the "Bundes Oberland" Dr. Friedrich Weber; The founder and leader of the"Reichskriegsflagge" (Reichwar flag) Captain Ernst Röhm retired; the leader of the S.A. Regiment Munich, First Lieutenant D. Wilhelm Brückner retired; Second Lt. Robert Wagner (since March 25, 1925, Gauleiter of the NSDAP Baden); the military leader of the "Deutschen Kampfbundes" (German battle league) 1st Lt. Hermann Kriebel retired and the stepson of Lündendorff, 1st Lt. Heinz Pernet retired. March 27: Hitlers summary April 1: Announcement of Verdict: Hitler, Weber, Kriebel and Pöhner sentenced to five years imprisonment in a fortress for high treason. (Probation after serving 6 months of sentence proposed), Brückner, Röhm, Pernet, Wagner and Frick for aiding and abetting high treason, sentenced to 1 year and three months imprisonment in a fortress (Probation effective immediately). Ludendorff acquitted. (The Public Prosecutor proposed 2 years imprisonment in a fortress for him). On the other hand the court declines (accordint to #9, part 2, Law for Security of the republic, of July 21, 1922) deportation of the "foreigner" Hitler. On April 1, Hitler, Weber and Kriebel transferred to fortress Landsberg to immediately begin carrying out their sentences. Pöhner at fortress Landsberg from January 5 to March 31, 1925. (died April 11, 1925 in a car accident).

In special trials sentenced to imprisonment in a fortress, for high treason: Rudolf Hess, (born April 26, 1894, in Alexandria; SA-Führer in Munich, 1921-23 leader of the NS University group at Munich) (page 16) Adolf Hühnlein, Julius Streicher, Max Amann, Gregor Strasser (Gauleiter and SA leader of Lower Bavaria) Edmund Heines (SA leader in Munich), ong the 28 of April (above page 13) 40 members of the "Shocktroop Hitler" (Stosstruppe Hitler), among them Emil Maurice (above page 6), Hitlers present Adjutant Julius Schaub and the present Oberbürgermeister of Munich, Karl Fiehler.

Page 21

1925 Reorganisation and reconstruction of the NSDAP (1925-1926).
July 18: The first volume of Hitlers book: "Mein Kampf" (original proposed title: "4½ years battle against falsehood, stupidity and cowardice)" is published, which Hitler dictated to his secretary Rudolf Hess during his imprisonment in the fortress (secondedition, December 11, 1925).

Page 28

1930

Nat. Soz. Minister of the Interior in Thüringen (1930/31).

January 23: By reason of the results of the Provincial Diet Elections on Dec. 8, 1929 (above p. 27) the Nazi member of the Reich-Parliament Dr. Frick is elected, with 28 against 22 votes (Communists, Social Democrats, Democrats), Minister of the Interior and National Education of Thüringia the first Nazi Minister. Baum, (Peasant-Party) is elected Minister Presiden. Resulting from intervention by Reich Minister of the Interior Severing in internal matters of Thüringen, (lifting of ban

3132-PS

H1239-0289

Page 28 (cont'd)

on the national youth organisation "Eagle and Falcon") and the alleged intervention of Nazis in the Thuringian State Police Conflict between Frick and Severing, which on March 18, interrupts the official relations between the Reich and the State Ministry of Thuringia and on the 20th stops the payment of Reich Subsidies for Thuringia. After resignation of Müller's Reich Cabinet (March 27) of which Severing is also a member, the dispute is amicably settled on April 10th in a conference between the Minister President Baum, and the new Minister of the Interior, Wirth; Abolishing of suspension of subsidies. Important law, authorising economisation and reduction of personnel, passed in the Diet on March 25, with 28 against 25 votes. Execution of the necessary administrative reorganisation. Balancing of the budget. Nomination of Prof. Schultze-Naumburg as Principal of the United Academies of Art in Weimar and of ethnologist Dr. Günther as professor at the University of Jena, contrary to the wishes of the faculty. Emphasising of German culture (Decree of April 5: Opposition of Negro-culture, Preservation of German national traits); on April 16: Introduction of new school prayers, which, according to a finding of the Supreme Court at Leipzig on July 11, in three cases violated article 148 of the Reich Constitution. On May 17 on occasion of the nationalisation of the Thuringian Police Force, nomination of two Nazi officials, (Hellwig Ortlepp) as Director of Police of Weimar and Director of the Provinicial Criminal Police, granted by the State Ministry of Thuringia; subsequently, Wirth on June 6, suspends once more the payment of Reich Subsidies to the Police Force. On December 22: Settlement of the dispute before the Supreme Court in Leipzig in a compromise favorable for Thuringia, between Frick and Wirth, who has no other alternative to avoid a public defeat.

Page 45

Führer's Final Struggle for Power (August-December 1932)

1932

December 15: Dissolution of the department of political economy (main dept. Iv.) and of the National Economic Council of the NSDAP, (under Feder and Walther Funk) created on Sept. 22. Forming of a political Central Commission under Rudolf Hess, to guarantee uniformity in carrying through the political struggle.

Page 46

Nomination of Führer (January 1933)

1933

January 4: Confidential conference between the Führer and Papen at the home of the banker Kurt Von Schröder in Cologne (present Hess and Himmler) about the participation in a future government.

Page 50

VI. The Third Reich and the NSDAP since 1933

1933

March 5 - 7: Reich Minister of the Interior Dr. Frick intervenes in Hamburg, Bremen, Lübeck, Hesse, Baden, Würtemberg, Saxony and Schanmburg-Lippe and assumes police authority. (Page 51)

March 8: Establishing of a Nazi Government in Hamburg under Bürgermeister Krogmann (on the 4 and 5, resignation of the previous Senate

H1239-0290

Page 51 (cont'd)

under Bürgermeister Dr. Petersen); since July 30, 1936 the Hamburg Government is under the direction of Reich Governor Kaufmann (up to April 1, 1938, /Validity of the "Law on the constitution and administration of the Hansestadt Hamburg"; below p. 72/

March 9: Nazi Revolution in Bavaria, spreading from Angsburg, where Gauleiter of the NSDAP (since 1928) Karl Wahl, was the first one in the morning, to have the swastika hoisted on the City hall. On account of the dangerous situation in Bavaria, where the cabinet Held-Stützel is still in power, Reich Minister of the Interior, Frick, appoints Lieutenant General, Ritter Franz von Epp Reich Commissionar of Bavaria, who forms a commissionary State Government on March 10; Reichsführer SS Himmler Commissionary Police President of Munich; on the 16 resignation of the Held government; Epp commissionary Minister President.

March 10: Resignation of the Baden Government (Schmitt) and of Saxonia (Schieck); here SA Obergruppenführer Manfred von Killinger was appointed Reich Commissioner.

March 11: Exclusively Nazi government in Baden, (Gauleiter Robert Wagner, /since March 8 Reich Commissioner/, Walter Köhler, Otto Wacker, Johannes Rupp).

Page 61

The first 4 year plan and Germany's struggle etc.

1934

April 16: Creation of the: "Official Party Examining Body for the protection of Nazi literature" under the Reich Manager of the NSDAP (until October 15, 1934) Philipp Bouhler.

May 1: Resignation of Goering as Minister of the Interior of Prussia.

On proposal of Goering, dated March 17, the Führer nominated Reich Minister of the Interior, Dr. Frick, also as Minister of the Interior of Prussia.

Page 62

VI. The Third Reich and the NSDAP since 1933

1934

July 10: The deputy of the Führer, Rudolf Hess, decrees the appointment of a "University commission of the NSDAP", under his supervision.

July 18: The "Nazi league of german students" (above p. 21) is directly subordinated to the deputy of the Führer and on July 30 furthermore assimilated into the Reich direction and the Gau Staff of the NSDAP. (Albert Derichsweiler successor to Oskar Stübels /below p. 107/ nominated Director of the "student league", since Nov. 5, 1936. Dr. Gustav Adolf Scheel), since Nov. 14, 1934, the sole represent tive for political and philosphical education of German students.

H1239-0291

1935 The first 4 years plan and the struggle of Germany etc.

July 24: Founding of "Nazi (NSD) society of university professors" (Dozentbund) (under Prof. Dr. Walter Schultze; above p. 14) as an organisation of the NSDAP. (on April 24, 1936, ordering of personal Union between Society of university professors and university teachers staffs.

CERTIFICATE OF TRANSLATION
OF EXTRACTS OF DOCUMENT
No. 3132-PS

1 December 1945

I, EVELYN GLAZIER, P/O, W.R.N.S., 37371, hereby certify that I am thouroughly conversant with the German and English languages; and that the above is a true and correct translation of Extracts of Document 3132-PS.

EVELYN GLAZIER
P/O, W.R.N.S.
37371

H1239-0292

PARTIAL TRANSLATION OF DOCUMENT 3225-PS
OFFICE OF U S CHIEF OF COUNSEL

Excerpt from: 1942 Reorganization of Law and Economy;
p. 86, Edited by Schaeffer, Oberlandesgerichtsrat ret. Member of the Academy of German Law
Number 13, Part 2
New Public Law II
The Establishing of the Greater German Reich by Dr. Wilhelm Stuckart
Dr. Rolf Schiedermair

* * *

Neugestaltung von Recht und Wirtschaft S.86
Herausgegeben von C.Schaeffer,Oberlandesgerichtsrat ret., A.D. Mitglied der Akademie für Deutsches Recht
13.Heft 2. Teil
Neues Staatsrecht II
Die Errichtung des Groszdeutschen Reiches
von Dr. Wilhelm Stuckart
Dr. Rolf Schiedermair

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2) Nationality

Questions of nationality are regulated in the decree of the Ministers council for Reich defense of September 14.1941 and the additional implementation order of the Reich-Minister of Justice of February 10. 1942 (MBli V. S. 353).

By virtue of it:

a) Ethnic German residents by virtue of the law have finally acquired German citizenship at the time of the liberation of their territory.

b) The other inhabitants of former Yugoslav nationality have received the German citizenship until further notice, if they are not of foreign blood. About the significance of the cancellation, compare the explanations above page 79.

c) Inhabitants of foreign race and former Yugoslav nationality are wards of the German Reich. This protection is linked with the domicile in the native country and is finally lost with the transfer of the domicile to a foreign country.
(Compare with it above explanations, concerning the protection (Schutzangehörigkeit)of Polish wards page 74.)

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CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 3225-PS

30 November 1945

I, T. W. SCHONFELD, Civilian, X51029, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true partial translation of Document No. 3225-PS.

T. W. SCHONFELD
Civilian X51029

English Document No.3249 PS

Affidavit of FRANZ BLAHA

Dachau, Germany
24 November, 1945

I, FRANZ BLAHA, being duly sworn, depose and state as follows:-

1. I studied medicine in Prague, Vienna, Strassburg and Paris and received my diploma in 1920. From 1920 to 1926 I was a clinical assistant. In 1926 I became chief physician of the Iglau Hospital in Moravia, Czechoslovakia. I held this position until 1939 when the Germans entered Czechoslovakia and I was seized as a hostage and held a prisoner for cooperating with the Czech government. I was sent as a prisoner to the Dachau Concentration Camp in April 1941 and remained there until the liberation of the camp in April 1945. Until July 1941 I worked in a Punishment Company. After that I was sent to the hospital and subjected to the experiments in typhoid being conducted by Dr. Muermelstadt. After that I was to be made the subject of an experimental operation and only succeeded in avoiding this by admitting that I was a physician. If this had been known before I would have suffered because intellectuals were treated very harshly in the Punishment Company. In October 1941 I was sent to work in the herb plantation and later in the laboratory for processing herbs. In June 1942 I was taken into the hospital as a surgeon. Shortly afterwards I was directed to conduct a stomach operation on 20 healthy prisoners. Because I would not do this I was put in the autopsy room where I stayed until April 1945. While there I performed approximately 7,000 autopsies. In all 12,000 autopsies were performed under my direction.

2. From mid 1941 to the end of 1942 some 500 operations on healthy prisoners were performed. These were for the instruction of the SS medical students and doctors and included operations on the stomach, gall bladder, spleen and throat.

These were performed by students and doctors of only two years training although they were very dangerous and difficult. Ordinarily they would not have been done except by surgeons with at least four years surgical practice. Many prisoners died on the operating table and many others from later complications. I autopsied all of these bodies. The doctors who supervised these operations were Lang, Muermelstadt, Wolter, Ramsauer and Rahr. Standartenfuehrer Dr. Lolling frequently witnessed these operations.

3. During my time at Dachau I was familiar with the many kinds of medical experiments carried on there with human victims. These persons were never volunteers but were forced to submit to such acts. Malaria experiments on about 1,200 people were conducted by Dr. Klaus Schilling between 1941 and 1945. Schilling was personally asked by Himmler to conduct these experiments. The victims were either bitten by mosquitoes or given injections of malaria sporozoits taken from mosquitoes. Different kinds of treatment were applied including quinine, pyrifer, neosalvarsan, antipyrin, pyramidon and a drug called 2516 Boehring. I autopsied bodies of people who died from these malaria experiments. 30 to 40 died from the malaria itself. 300 to 400 died later from diseases which were fatal because of the physical condition resulting from the malaria attacks. In addition there were deaths resulting from poisoning due to overdoses of neosalvarsan and pyramidon. Dr. Schilling was present at the time of my autopsies on the bodies of his patients.

4. In 1942 and 1943 experiments on human beings were conducted by Dr. Sigismund Rascher to determine the effects of changing air pressure. As many as 25 persons were put at one time into a specially constructed van in which pressure could be increased or decreased as required. The purpose was to find out the effects of high altitude and of rapid descents by parachutists. I have seen the people lying unconscious on

H1239-0294

the floor of the van through a window in the van. Most of the prisoners used died from these experiments from internal hemorrhages of the lungs or brain. The rest coughed blood when taken out. It was my job to take the bodies out and to send the internal organs to Munich for study as soon as they were found to be dead. About 400 to 500 prisoners were experimented on. Those not dead were sent to invalid blocks and liquidated shortly afterwards. Only a few escaped.

5. Rascher also conducted experiments on the effect of cold water on humans. This was done to find a way for reviving aviators who had fallen into the ocean. The subject was placed in icecold water and kept there until he was unconscious. Blood was taken from his neck and tested each time his body temperature dropped one degree. This drop was determined by a rectal thermometer. Urine was also periodically tested. Some men lasted as long as 24 to 30 hours. The lowest body temperature reached was 19 degrees C, but most men died at 25 degree C or 26 degree C. When the men were removed from the ice water attempts were made to revive them by artificial warmth from the sun, from hot water, from electro-therapy or by animal warmth. For this last experiment prostitutes were used and the body of the unconscious man was placed between the bodies of two women. Himmler was present at one such experiment. I could see him from one of the windows in the street between the blocks. I have personally been present at some of these cold water experiments when Rascher was absent and I have seen notes and diagrams on them in Rascher's laboratory. About 300 persons were used in these experiments. The majority died. Of those who lived many were mentally deranged. Those not killed were sent to invalid blocks and were killed just as with the victims of the air pressure experiments. I only know two who survived - a Jugoslav and a Pole, both of whom are mental cases.

H1239-0295

6. Liver puncture experiments were performed by Dr. Brachtl on healthy people and on people who had diseases of the stomach and gall bladder. For this purpose a needle was jabbed into the liver of a person and a small piece of the liver was extracted. No anaesthetic was used. The experiment is very painful and often had serious results as the stomach or large blood vessels were often punctured resulting in hemorrhage. Many persons died of these tests for which Polish, Russian, Czech and German prisoners were employed. Altogether these experiments were conducted on about 175 people.

7. Phlegmone experiments were conducted by Dr. Schütz, Dr. Baber, Dr. Rieselbetter and Professor Lauer. 40 healthy men were used at a time of which 20 were given intra-muscular and 20 intravenious injections of pus from diseased persons. All treatment was forbidden for three days by which time serious inflammation and in many cases general blood poisoning had occurred. Then each group was divided again into groups of 10. Half were given chemical treatment with liquid and special pills every 10 minutes for 24 hours. The rest were treated with sulfanamide and surgery. In some cases all of the limbs were amputated. My autopsy also showed that the chemical treatment had been harmful and had even caused perforations of the stomach wall. For these experiments Polish, Czech and Dutch priests were ordinarily used. Pain was intense in such experiments. Most of the 600 to 800 persons who were used finally died. Most of the others became permanent invalids and were later killed.

8. In the fall of 1944 there were 60 to 80 persons who were subjected to salt water experiments. They were locked in a room and for five days were given nothing to eat but salt water. During this time their urine blood and exrement were tested. None of these prisoners died, possibly because they received smuggled food from other prisoners. Hungarians and Gypsies were used for these experiments.

H1239-0296

H1239-0297

9. It was common practice to remove the skin from dead prisoners. I was directed to do this on many occasions. Dr. Rascher and Dr. Holter in particular asked for t is human skin from human backs and chests. It was chemically treated and placed in the sun to dry. After that it was cut into shapes for use as saddles, riding breeches, gloves, house slippers and ladies' handbags. Tattoed skin was especially valued by SS men. Russians, Poles and other inmates were used in this way, but it was forbidden to cut out the skin of a German. This skin had to be from healthy prisoners and free from defects. Sometimes we did not have enough bodies with good skin and Rascher would say, "All right, you will get the bodies." The next day we would receive 20 or 30 bodies of young people. They would have been shot in the neck or struck on the head so that the skin would be uninjured. Also we frequently got requests for the skulls or skeletons of prisoners. In those cases we boiled the skull or the body. Then the soft parts were removed and the bones were bleached and dried and reassembled. In the case of skulls it was important to have a good set of teeth. When we got an order for skulls from Oranienburg the SS men would say, "We will try to get you some with good teeth." So it was dangerous to have a good skin or good teeth.

10. Transports arrived frequently in Dachau from Studthof, Belsen, Auschwitz, Mauthausen and other camps. Many of these were 10 to 14 days on the way without water or food. On one transport which arrived in November 1942 I found evidence of cannibalism. The living persons had eaten the flesh from the dead bodies. Another transport arrived from Compiegne in France. Professor Limousin of Clermont Ferrand who was later my assistant told me that there had been 2,000 persons on this transport when it started. There was food available but no water. 800 died on the way and were thrown

H1239-0298

out. When it arrived after 12 days more than 500 persons were dead on the train. Of the remainder most died shortly after arrival. I investigated this transport because the International Red Cross complained and the SS men wanted a report that the deaths had been caused by fighting and rioting on the way. I dissected a number of bodies and found that they had died from suffocation and lack of water. It was mid summer and 120 people had been packed into each car.

11. In 1941 and 1942 we had in the camp what we called invalid transports. These were made up of people who were sick or for some reason incapable of working. We called them Himmelfahrt Commandos. About 100 or 120 were ordered each week to go to the shower baths. There four people gave injections of phenol evipan or benzine which soon caused death. After 1943 these invalids were sent to other camps for liquidation. I know that they were killed because I saw the records and they were marked with a cross and the date that they left which was the way that deaths were ordinarily recorded. This was shown on both the card index and the records in the town of Dachau. 1,000 to 3,000 went away every three months so there were about 5,000 sent to death in 1943 and the same in 1944. In April 1945 a Jewish transport was loaded at Dachau and was left standing on the railroad siding. The railroad was destroyed by bombing and they could not leave. So they were just left there to die from starvation. They were not allowed to get off. When the camp was liberated they were all dead.

12. Many executions by gas or shooting or injections took place right in the camp. The gas chamber was completed in 1944 and I was called by Dr. Rascher to examine the first victims. Of the 8 or 9 persons in the chamber there were three still alive and the remainder appeared to be dead. Their eyes were red and their faces were swollen. Many prisoners were later killed in this way. Afterwards they were removed to the

H1239-0299

crematorium where I had to examine their teeth for gold. Teeth containing gold were extracted. Many prisoners who were sick were killed by injections while in hospital. Some prisoners killed in the hospital came through to the autopsy room with no name or number on the tag which was usually tied to their big toe. Instead the tag said "Do not dissect". I autopsied some of these and found that they were perfectly healthy but had died from injections. Sometimes prisoners were killed only because they had dysentry or vomited and gave the nurses too much trouble. Mental patients were liquidated by being led to the gas chamber and injected there or shot. Shooting was a common method of execution. Prisoners could be shot just outside the crematorium and carried in. I have seen people pushed into the ovens while they were still breathing and making sounds although if they were too much alive they were usually hit on the head first.

13. The principal executions about which I know from having examined the victims or supervised such examinations are as follows:

In 1942 there were 5,000 to 6,000 Russians held in a separate camp inside Dachau. They were taken on foot to the Military Rifle Range near the camp in groups of 500 or 600 and shot. These groups left the camp about three times a week. At night they would bring them back in carts drawn by prisoners and we would examine them. - In February 1944 about 40 Russian students arrived from Roosburg. I knew a few of the boys in the hospital. I examined them after they were shot outside the crematory. - In September 1944 a group of 94 high ranking Russians were shot including two military doctors who had been working with me in the hospital. I examined their bodies. - In April 1945 a number of prominent people were shot who had been kept in the bunker. They included two French generals whose names I cannot remember. But I recognised them

from their uniform. I examined them after they were shot. - In 1944 and 1945 a number of women were killed by hanging, shooting and injections. I examined them and found that in certain cases they were pregnant. - In 1945 just before the camp was liberated all "Nacht und Nebel" prisoners were executed. These were prisoners who were forbidden to have any contact with the outside world. They were kept in a special inclosure and were allowed no mail. There were 30 or 40, some of whom were sick. These were carried to the crematory on stretchers. I examined them and found they had all been shot in the neck.

14. The rooms could not be cleaned because they were too crowded and there was no cleaning material. No baths were available for months at a time. Latrine facilities were completely inadequate. Medicine was almost non-existent. But I found after the camp was liberated that there was plenty of medicine in the SS hospital for all the camp if it had been given to us for use. New arrivals at the camp were lined up out of doors entirely naked for hours at a time. Sometimes they stood there from morning until night. It did not matter whether this was in the winter or in the summer. This occurred all through 1943, 1944 and the first quarter of 1945. I could see these formations from the window of the autopsy room. Many of the people who had to stand in the cold in this way became ill from pneumonia and died. I had several acquaintances who were killed in this manner during 1944 and 1945. In October 1944 a transport of Hungarians brought spotted fever into the camp and an epidemic began. I examined many of the corpses from this transport and reported the situation to Dr. Hintermayer but was forbidden on penalty of being shot to mention that there was an epidemic in the camp. No preventive measures were taken at all. New healthy arrivals were put into blocks where an epidemic was already present. Also infected persons were put

H1239-0300

H1239-0301

into these blocks. So the 30th Block for instance died out completely three times. Only at Christmas when the epidemic spread into the SS camp was a quarantine established. Nevertheless transports continued to arrive. We had 200 to 300 new typhus cases a day and 100 deaths caused by typhus a day. In all we had 28,000 cases and 15,000 deaths. In addition to those that died from the disease my autopsies showed that many deaths were caused solely by malnutrition. Such deaths occurred in all the years from 1941 to 1945. They were mostly Italians, Russians and Frenchmen. These people were just starved to death. At the time of death they weighed 50 to 60 pounds. Autopsies showed that their internal organs had often shrunk to one third of their normal size.

15. Visits from prominent people were common at Dachau. Among those who came I remember Himmler who came three times to see air pressure and cold water experiments, Dr. Grawitz who was Reichsarzt SS, Wilhelm Frick who came once in 1943 and visited the malaria station and Rascher's experimental station and Walter Funk who also came in 1945 and made a general tour of the camp.

The facts stated above are true: this declaration is made by me voluntarily and without compulsion: after reading over the statement I have signed and executed the same at DACHAU/Germany this 24th day of November 1945.

s/ Dr. Blaha Frank *)

DR. BLAHA FRANK

*)
Note:
My first name is Franz.
My usual signature is as above.

Subscribed and sworn to before me this 25th day of November 1945 at DACHAU/Germany.

s/ John B. Martin
JOHN B. MARTIN.

H1239-0302

I, SIGFRIED R[illegible]LER, Civilian, do hereby certify that I am a qualified translator of the German language; that the attached translation is a true and correct translation of the above statement: this 25th day of November 1945 at D[illegible]CHAU/Germany.

SIGF[illegible]ED R[illegible]LER.

H1239-0303

Jackson

TRANSLATION OF DOCUMENT 3258-PS
OFFICE OF U S CHIEF OF COUNSEL

E X C E R P T S F R O M

N A T I O N A L S O C I A L I S M

BASIC PRINCIPLES, THEIR APPLICATION BY THE NAZI PARTY's FOREIGN ORGANIZATION, AND THE USE OF GERMANS ABROAD FOR NAZI AIMS.

Department of State. Publication 1864
U.S. Govt. Printing Off. 1943.

H1239-0304

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

Page 44 of Document

Dr. Frick, German Minister of the Interior, in his chapter in Germany Speaks indicates the exclusive position of the party in the Third Reich:

.." In National Socialist Germany, leadership is in the hands of an organised community, the National Socialist Party; and as the latter represents the will of the nation, the policy adopted by it in harmony with the vital interests of the nation is at the same time the policy adopted by the country .... "

Seite 44 des Dokuments

In seinem Kapitel in "Deutschland Spricht" deutet der deutsche Innenminister Dr. Frick die exklusive Stellung der Partei im Dritten Reich an:

..."In nationalsozialistischen Deutschland liegt die Fuehrung in den Haenden einer organisierten Gemeinschaft, naemlich der national-sozialistischen Partei; da diese den Willen der Nation zum Ausdruck bringt, ist die Politik, die sie im Einklang mit den lebenswichtigen Interessen der Nation verfolgt, zugleich die Politik des Landes ...."

CERTIFICATE OF TRANSLATION
OF DOCUMENT 3258-PS

December 15, 1945

I, OLGA H. HOFFMANN, 046425, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 3258-PS.

OLGA H. HOFFMANN
046425

H1239-0305

Page 93-94-95 of Document

The Foreign Organization

..... On May 8, 1933 it was put in charge of its present leader, Ernst Wilhelm Bohle, a protege of Rudolf Hess, who was Hitler's Deputy at that time, and on October 3, 1933 it was placed directly under Hess, Bohle becoming a member of the staff of the Fuehrer's Deputy with the rank of Gauleiter. The present designation, "Foreign Organization of the NSDAP", was ordered by Hess on February 17, 1934. In view of the growth of the organization under Bohle's energetic leadership and to further an increased development the central office of the Foreign Organization was transferred to Berlin in the middle of March1936. The Maritime Division, which dealt with German seamen, remained in Hamburg.

Since there had been considerable friction between the agents of the Foreign Organization and the officials of the German Government's foreign services, the German Foreign Service (diplomatic and consular officials) was inducted in October 1935 as a professional group into the Foreign Organization, thus insuring the collaboration of the Foreign Service men abroad with the Nazi Party agents. With regard to this, Dr. Ehrich, one of Gauleiter Bohle's chief aides, is quoted by the Deutsches Nachrichtenbuero, the official German news agency, as saying, "a decisive step has been taken in strengthening National Socialist leadership among Germans abroad; it is to be hoped that this new arrangement will contribute to a close cooperation between party and state in all fields of foreign effort. Every German abroad knew that only through the Foreign Organization and its numerous cells could he maintain a real connection with what was happening in the Reich. The officials of the Foreign Service must feel himself to be a true fellow German and the trusted helper and National Socialist friend of his countrymen."

The Foreign Organization received its definitive sanction when on January 30, 1937 Bohle was transferred to the Ministry for Foreign Affairs, assuming the title "Head of the Foreign Organization in the Ministry for Foreign Affairs". Whereas formerly the jurisdiction of his organization had nominally merely extended to Nazi Party members abroad, at this time it was explicitly enlarged to include all German citizens abroad. The preamble to this decree gives as the purpose of Bohle's installation in the Foreign Office "the unified care and control (Betreuung) of the German citizens in foreign countries". The vast extent of Bohle's powers is clear, the preamble stating further that "the direction and handling of all matters concerning German citizens abroad are transferred to him." Although according to the provisions of the decree Bohle was placed personally and directly under the German Foreign Ministry, the Foreign Ministry appears to have exercised only a very general control over his work, and it is known that he possessed the privilege of addressing instructions, through the German diplomatic pouches, to the party's agents abroad.

To further reinforce the party's grip upon the Foreign Office, which was progressively and effectively tightened during 1937, the officials of the Foreign Office and all members of the Foreign Service throughout the world were organized into a party group, an "Ortsgruppe", under the authority of Bohle.

H1239-0306

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

Seite 93-94-95
des
Dokuments

Die Auslandsorganisation.

..... Am 8. Mai 1933 wurde sie ihrem gegenwaertigen Leiter, Ernst Wilhelm Bohle, unterstellt, - der ein Guenstling des damaligen Stellvertreters von Hitler, Rudolf Hess, war; am 3. Oktober 1933 wurde sie Hess unmittelbar unterstellt, waehrend Bohle zu einem Mitglied des Stabes des Stellvertreters des Fuehrers mit dem Rang eines Gauleiters ernannt wurde. Der heutige Name "Auslandsorganisation der N.S.D.A.P." wurde von Hess am 17. Februar 1934 verfuegt. Mit Ruecksicht auf das Anwachsen der Organisation unter Bohles energischer Fuehrung, und um ihre weitere Entwicklung zu foerdern, wurde das Hauptamt der Auslandsorganisation Mitte Maerz 1936 nach Berlin verlegt. Die maritime Abteilung, welche sich mit deutschen Seeleuten befasste, blieb in Hamburg.

Da es zwischen den Agenten der Auslandsorganisation und den Beamten des Auslandsdienstes der deutschen Regierung zu betraechtlichen Reibungen gekommen war, wurde der deutsche Auslandsdienst (diplomatische- und Konsular-Beamte) im Oktober 1935 der Auslandsorganisation als Berufsgruppe einverleibt, und auf diese Weise wurde die Zusammenarbeit zwischen dem im Ausland taetigen Personal des Auslandsdienstes und den Agenten der Nazi-Partei gesichert. Der offizielle deutsche Nachrichtendienst, das DEUTSCHE NACHRICHTEN-BUERO, fuehrt die folgende diesbezuegliche Aeusserung Dr. Ehrichs an, der einer der Hauptmitarbeiter des Gauleiters Bohle war: "Ein entscheidender Schritt zur Staerkung der nationalsozialistischen Fuehrung unter den Deutschen im Auslande ist gemacht worden; wir duerfen hoffen, dass diese neue Anordnung zu einer engen Zusammenarbeit von Partei und Staat auf allen Gebieten unserer Bestrebungen im Ausland beitragen wird. Alle Deutschen im Auslande wissen, dass sie nur durch die Auslandsorganisation und deren zahlreiche Zellen eine wirkliche Fuehlung mit den Vorgaengen im Reich aufrecht erhalten koennen. Der Beamte im Auslandsdienst muss sich als wahrer nationalsozialistischer Freund seiner Landsleute fuehlen."

Die Auslandsorganisation erhielt ihre endgueltige Bestaetigung dadurch, dass Bohle am 30. Januar 1937 in das Ministerium fuer Auswaertige Angelegenheiten eintrat und den Titel "Chef der Auslandsorganisation im Ministerium fuer Auswaertige Angelegenheiten" erhielt. Waehrend die Zustaendigkeit seiner Organisation sich bis dahin angeblich nur auf Nazi-Parteimitglieder im Auslande erstreckt hatte, wurde sie nun ausdruecklich dahin erweitert, dass sie alle deutschen Staatsangehoerigen im Ausland umfasste. Die Praeambel zu dieser Verordnung bezeichnet als Zweck der Einsetzung Bohles in das Auswaertige Amt "Die einheitliche Betreuung deutscher Staatsangehoeriger im Ausland". Der grosse Umfang von Bohles Befugnissen wird klar, wenn es in der Praeambel weiterhin heisst: "Die Leitung und Behandlung aller Angelegenheiten, welche sich auf deutsche Staatsangehoerige im Auslande beziehen, werden ihm uebertragen." Obwohl Bohle nach dem Wortlaut der Verordnung persoenlich unmittelbar dem deutschen Aussenminister unterstellt war, scheint das Aussenministerium seine Arbeit nur ganz allgemein kontrolliert zu haben, und wie bekannt ist, besass er das Vorrecht, auf dem Wege der deutschen diplomatischen Post den Agenten der Partei im Auslande Anweisungen zu erteilen.

H1239-0307

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

Um den Zugriff der Partei auf das Auswaertige Amt, welcher sich im Jahre 1937 fortschreitend und wirksamer verschaerft hatte, noch zu verstaerken, wurden die Beamten des Auswaertigen Amtes und alle Mitglieder des Auslandsdienstes in der ganzen Welt in einer Parteigliederung - Ortsgruppe - unter dem Befehl von Bohle zusammengefasst.

CERTIFICATE OF TRANSLATION
OF DOCUMENT 3258-PS

December 15, 1945

I, OLGA H. HOFFMANN, o46425, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 3258-PS.

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o46425

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TRANSLATION OF DOCUMENT 3258-PS
(cont.)

Page 101-102-103 of Document

At the Foreign Organization's annual assembly of Germans living abroad, in 1937 at Stuttgart, Rudolf Hess, at that time the Fuehrer's Deputy, addressed the audience as follows:

"My German racial comrades, men and women! German seamen! "You stand before me as a slice of the great German racial community, the racial community which extends beyond the borders of our Reich, for National Socialism has not only at home created a national community transcending all classes and groups in a way previously unknown, but it has also included German racial comrades in foreign countries. It has made them conscious and proud members of this racial community!"

.....

"Under the leadership of the Foreign Organization, Germandom abroad is also becoming more and more filled with the National Socialist spirit. The Foreign Organization of the NSDAP has brought together the Germans out there, who even long after the seizure of power were disunited and split by class differences, and joined them with Adolf Hitler's Reich. The National Socialist care for Germandom abroad is maintaining an enormous number of Germans for the nation, who otherwise would be absorbed as cultural fertilizer for other nations."

Seite 338-341 des Dokuments

Rudolf Hess fuehrte aus:
"Meine deutschen Volksgenossen und Volksgenossinnen ! Deutsche Seefahrer !

"Ihr steht vor mir als Ausschnitt der grossen deutschen Volksgemeinschaft - der Volksgemeinschaft, die sich ueber die Grenzen unseres Reiches hinaus erstreckt, denn der Nationalsozialismus hat nicht nur im Inlande ueber alle Klassen und Staende hinweg eine Volksgemeinschaft geschaffen, wie sie vordem unbekannt war, sondern er hat einbezogen die deutschen Volksgenossen im Auslande. Er hat sie zu bewussten und stolzen Gliedern dieser Volksgemeinschaft gemacht."

.....

"Unter der Fuehrung der Auslands-Organisation wird auch das Auslandsdeutschtum immer mehr von nationalsozialistischem Geist erfuellt. Die Auslandsorganisation der NSDAP hat die noch lange nach der Machtuebernahme in sich zersplitterten, in Klassengegensaetzen auseinanderklaffenden Deutschen draussen zusammengefuehrt und sie verbunden mit dem Reiche Adolf Hitlers. Die Betreuung des Auslandsdeutschtums im nationalsozialistischen Geist erhaelt eine Unzahl von Deutschen der Nation, die sonst als Kulturduenger in anderen Nationen aufgingen."

H1239-0309

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

Page 107-108 of Document

(g) German Citizens? Or All Those of German Origin?

With regard to the question whether the activities of the Foreign Organization extended beyond German citizens to include German racial comrades of foreign citizenship, it will be noted that the activities of the Foreign Organization are usually discussed in terms of German racial comrades in general. No distinction is made, especially in the earlier speeches, between German citizens and those of German origin who had adopted citizenship in another country. From 1937 on, however, in view of the growing opposition to the Foreign Organization's activities from neighboring European countries and countries abroad, the leaders of the Foreign Organization found it expedient to state explicity that their work was only concerned with German citizens.

Seite 107/8 des Dokuments

(g) Deutsche Staatsangehoerige ? Oder alle Personen deutscher Abstammung ?

Zu der Frage, ob die Taetigkeit der Auslandsorganisation sich ueber deutsche Staatsangehoerige hinaus auf deutsche Volksgenossen fremder Staatsangehoerigkeit erstreckte, ist zu beachten, dass bei den Veranstaltungen der Auslandsorganisation gewoehnlich von deutschen Volksgenossen im allgemeinen die Rede ist. Besonders in den fruehesten Reden wird niemals ein Unterschied zwischen Buergern deutscher Staatsangehoerigkeit und solchen deutscher Abstammung, welche die Staatsangehoerigkeit eines anderen Landes erworben haben, gemacht. Jedoch vom Jahre 1937 an, und zwar mit Ruecksicht auf die in den europaeischen Nachbarlaendern und im uebrigen Ausland wachsende Opposition zu der Taetigkeit der Auslandsorganisation, fanden es die Leiter der Auslandsorganisation zweckmaessig, ausdruecklich zu erklaeren, dass ihre Arbeit sich nur mit deutschen Staatsangehoerigen befasse.

December 15 1945

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(cont.)

Page 114-115 of Document

The world-wide scope of the VDA's work is also clearly stated by Schaefer:

"We see that the sphere of the VDA's work has become very great, it encompasses the entire planet, and it is by far not able to satisfy the demands made upon it. Also for this reason its aim must remain: the unification of all Germans to one great community of destiny, to a nation". (Document 32-A post p. 426.)

Pamphlets and manifestoes of the VDA leave no doubt that among the "lost sons" are millions of citizens of the United States. The United States is included in the long list of countries containing German racial comrades, in an advertisement appearing February 22, 1934 in the Berliner Boersen Zeitung, an authoritative Berlin newspaper, which further states:

"The Germans are a people of 100 millions!"

"The great German racial community is fighting all over the whole planet."

"The VDA is the trustee of the 30 million Germans in foreign countries!"

V D A
Volksbund fuer das Deutschtum im Ausland

Seite 114-115 des Dokuments

2. Ziele

..... Die weltumspannende Reichweite der VDA-Arbeit wird auch von Schaefer klar zum Ausdruck gebracht:

"Wir sehen, dass der Bereich der VDA-Arbeit sich sehr weit erstreckt; sie umfasst den ganzen Planeten und ist bei weitem nicht imstande, allen an sie gestellten Anforderungen zu genuegen. Aus diesem Grunde auch muss es ihr Ziel bleiben, alle Deutschen zu einer grossen Schicksalsgemeinschaft, zu einer Nation zusammenzuschliessen" (Dokument 32-A unten S. 426).

Flugschriften und Kundgebungen des VDA lassen keinen Zweifel daran, dass sich unter den "verlorenen Soehnen" Millionen Staatsangehoerige der Vereinigten Staaten befinden. In einer Anzeige, die am 22. Februar 1934 in einem fuehrenden Berliner Blatt, der Berliner Boersenzeitung, erschien, sind die Vereinigten Staaten in einer langen Liste der Laender mit deutschen Volksgenossen aufgefuehrt und es heisst dort ferner:

"Die Deutschen sind ein 100 Millionen Volk!"

"Die grosse deutsche Volksgemeinschaft steht ueberall auf dem ganzen Planeten im Kampf."

"Der VDA ist der Treuhaender fuer 30 Millionen Deutsche im Ausland!"

December 15 1945

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(cont.)

Page 122-123 of Document

"Research and Information Service

"The Institute keeps itself posted concerning the cultural and business activities of Germans in foreign parts and maintains lists of German clubs and firms which are available to reliable persons wishing to enter into correspondence with these groups. In a certain sense it thus helps to further German trade, as it handles inquiries of a business nature and facilitates the making of initial contacts. The Institute, moreover, keeps a card index file of the family history of Germans who have left the Fatherland, bearing in particular upon their "racial integrity". Through its correspondents abroad who report directly to it the Institute is informed of the status and progress of "Germanism" in particular countries. The reaction of the resident population is also recorded in special reports and clippings from the local press. The Institute is thus in a sense the seismograph which registers everything relating to the cause of "Germanism".

"Propaganda Work

"The Institute is one, but probably the most important, of the agencies which prepare and disseminate propaganda abroad in the form of books, pamphlets, periodicals and communiques.
.....

"The Institute also has a hand in organizing the frequent and periodical broadcasts transmitted to foreign Germans by the powerful short-wave stations of the Reich radio system. The Stuttgart broadcasting station is housed in the building of the Institute which furnishes with appropriate material this station as well as others belonging to the German chain. The main object of the programs thus supplied is to keep Germans living in other countries in constant touch with developments in the Reich, to stimulate their interest in the Reich, to develop social, political and economic relationships favorable to Germany, and to convince them of the success of National Socialism. .....

Seite 122-123 des Dokuments

D A I
(Deutsches Auslands - Institut)

Forschungs- und Auskunftsstelle"

"Das Institut haelt sich fortlaufend unterrichtet ueber die kulturelle und geschaeftliche Taetigkeit der Deutschen in fremden Gegenden und fuehrt ein Verzeichnis deutscher Klubs und Firmen, welches vertrauenswuerdigen Personen, die mit diesen Gruppen korrespondieren wollen, zugaenglich gemacht wird. In gewissem Sinne foerdert es dadurch den deutschen Handel, insofern als es sich geschaeftlicher Anfragen annimmt und die Anknuepfung von Beziehungen erleichtert. Ueberdies fuehrt das Institut eine Kartothek ueber die Familiengeschichte derjenigen Deutschen, die das Vaterland verlassen haben, welche insbesondere ueber ihre Rassenreinheit Aufschluss gibt. Das Institut wird durch direkte Berichte seiner Korrespondenten im Auslande ueber den Stand und Fortschritt des "Germanismus" in den einzelnen Laendern auf dem Laufenden gehalten. Auch das Verhalten der einheimischen Bevoelkerung wird durch Spezial-Berichte und Ausschnitte aus der oertlichen Presse wiedergegeben. Auf diese Weise ist das Institut gewissermassen ein Seismograph, welcher alles, was auf die Sache des Germanismus Bezug hat, registriert.

H1239-0313

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

Propaganda-Arbeit.

"Das Institut ist wahrscheinlich eine der wichtigsten Dienststellen, welche Propaganda-Material in Form von Buechern, Flugschriften, periodischen Zeitschriften und Mitteilungen anfertigen und im Ausland verbreiten.

.....

Das Institut ist ebenfalls beteiligt an der Veranstaltung regelmaessig wiederholter Sendungen, die von starken Kurzwellen-Sendern des Reichsrundfunk-Netzes den Deutschen im Ausland uebermittelt werden. Der Stuttgarter Sender befindet sich im Gebaeude des Institutes, welches diesen, als auch andere Sender des deutschen Netzes mit geeignetem Material versorgt. Das Hauptziel der so gelieferten Programme ist es, den im Ausland lebenden Deutschen zu ermoeglichen, mit der Entwicklung im Reich dauernd in Fuehlung zu bleiben, ihr Interesse am Reich anzuregen, gesellschaftliche, politische und wirtschaftliche Beziehungen zu Gunsten Deutschlands zu pflegen und sie von dem Erfolg des National-Sozialismus zu ueberzeugen.

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December 15, 1945

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c46425

H1239-0314

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

(Footnote):

Page 124 of Document

However, the March-April 1942 issue of the DAI periodical Deutschtum im Ausland names Dr. Hermann Ruediger as the Institute's Manager, Dr. Csaki having become in the meantime a member of the Board of Directors. The same issue discloses that the notorious Walter Kappe, well known in the United States, is managing editor of the periodical but on leave for military duty.

Seite 124 des Dokuments

(Fuss-Note):

Die DAI-Zeitschrift "Deutschtum im Ausland" nennt indessen in ihrer Ausgabe vom Maerz-April 1942 Dr. Hermann Ruediger als Leiter des Institutes, nachdem inzwischen Dr. Csaki Verstandsmitglied geworden war. Aus derselben Ausgabe geht hervor, dass der in den Vereinigten Staaten wohlbekannte, beruechtigte Walter Kappe leitender Redakteur der Zeitschrift, aber zum Militaerdienst beurlaubt ist.

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H1239-0315

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

Page 126 of Document

The liberalistic ideology which has been overcome dealt with the formal concept of the citizen. We have gotten rid of that. Today the blood-united German racial-comrade stands in the center. That is the new foundation upon which we must build.

Hence I want to impress on the Deutsches Ausland-Institut: Join us therefore in taking care that the spirit of National Socialism also become alive among the German racial-comrades in foreign countries, so that streams of energy may emanate from it!

Seite 454 des Dokuments

Die ueberwundene liberalistische Weltanschauung arbeitete mit dem formalen Begriff des Staatsbuergers. Wir haben damit aufgeraeumt. Heute steht im Mittelpunkt der blutmaessige deutsche Volksgenosse. Das ist das neue Fundament, auf dem wir aufbauen muessen.

So will ich dem Deutschen Auslandinstitut warm ans Herz legen: Sorgt mit uns dafuer, dass auch bei den deutschen Volksgenossen imAusland der Geist des Nationalsozialismus lebendig wird, dass von ihm Krafstroeme ausgehen!

H1239-0316

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

Page 128-129 of Document

At the twentieth annual meeting of the DAI held at Stuttgart on August 11-15, 1937, the subject of assimilation was one of the main topics discussed. This meeting was likewise attended by very prominent officials of the German Government, including Foreign Minister Baron von Neurath, Minister of the Interior Frick, and the Governor of Wuerttemberg and his entire Cabinet; officials of the German party; representatives of Alfred Rosenberg's Party Office; and many other prominent persons. Hence the views expressed represented both German party-state officialdom and the DAI.

According to an entirely reliable confidential report, dated August 21, 1937 the German Minister of the Interior, Frick, in his address at the culminating reception of the meeting -

"declared that the new Germany has recognized that its attention and devotion to the welfare of the millions of Germans, who have not the fortune to owe political allegiance to Germany, but who are condemned to live abroad, are not merely a matter of natural sympathy and solidarity, but are in a higher degree dictated by the strong political and economic interests of the Reich. He protested strongly against attempts of foreign nations to assimilate German blood and argued that those nations, which realize that they will gain nothing by such endeavors, but which will recognize the aspirations of Germans living in their midst, will gain the friendship of the mighty German Reich, which will then be prepared to make economic concessions to them..... Herr Frick also said that the principles of National Socialism, which are directing the cultural and political life of the German nation, will constitute in the future a source of strength and of confidence for millions of Volksdeutsche (persons of German blood) living in foreign countries."

Seite 128-129 des Dokuments

Auf der 20. Jahresversammlung des DAI, welche vom 11. bis 15. August 1937 in Stuttgart stattfand, war das Thema der Assimilation einer der Hauptgegenstaende, die besprochen wurden. Auch dieser Versammlung wohnten sehr prominente Beamte der deutshhen Regierung bei, darunter Aussenminister Baron von Neurath, Innenminister Frick, und der Statthalter von Wuerttemberg mit seinem ganzen Kabinett; Beamte der deutschen Partei, Vertreter von Alfred Rosenberg's Parteiamt; und viele andere hervorragende Persoenlichkeiten. Daher waren die hier zum Ausdruck gebrachten Ansichten massgebend fuer beide, das Beamtentum des deutschen Partei-Staates und das DAI.

Nach einem bestimmt zuverlaessigen vertraulichen Bericht vom 21. August 1937, erklaerte der deutsche Innenminister Frick in seiner Rede auf dem Empfang, der den Hoehepunkt der Tagung bildete:

"Das neue Deutschland hat erkannt, dass seine Aufmerksamkeit und Hingabe an das Wohl von Millionen Deutscher, welche nicht das Glueck haben, Deutschland politische Treue zu schulden, sondern dazu verurteilt sind, im Ausland zu leben, nicht nur eine Sache natuerlicher Sympathie und Verbundenheit ist, sondern in noch hoeherem Masse von starken politischen und wirtschaftlichen Interessen des Reiches diktiert wird. Er protestierte staerkstens gegen die Versuche anderer Nationen zur Assimilation deutschen Blutes und behauptete, dass jene Nationen, welche einsehen, dass sie durch solche Bemuehungen nichts gewinnen koennen, und welche die Bestrebungen der in ihrer Mitte lebenden Deutschen anerkennen, die Freundschaft des maechtigen deutschen Reiches gewinnen werden, welches dann bereit sein wird, ihnen wirtschaftliche Zugestaendnisse zu machen.

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

H1239-0317

Herr Frick sagte ebenfalls, dass die Grundsaetze des National-Sozialismus, welche das kulturelle und politische Leben des deutschen Volkes bestimmen, in der Zukunft fuer Millionen der im Ausland lebenden Volksdeutschen eine Quelle der Kraft und des Vertrauens bilden werden."

December 15 1945

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046425

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

Page 132 of Document

An account published in July 1941 in Deutsches Wollen, the magazine of the party's Foreign Organization, relates the activities of the Nazi Party group in Greece before and after the German Army entered Athens. After the entrance of the Germans, in the words of this group's leader, all the party members performed "auxiliary service with the Army".

Seite 132 des Dokuments

Ein Bericht vom Juli 1941 in der Zeitschrift der Auslandsorganisation der Partei "Deutsches Wollen" schildert die Taetigkeit der Nazi-Partei-Gruppe in Griechenland vor und nach dem Einmarsch der deutschen Armee in Athen. Nach den eigenen Worten des Leiters dieser Gruppe leisteten alle Partei-Mitglieder nach dem Einzug der Deutschen "Hilfsdienst in der Armee".

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H1239-0318

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

H1239-0319

Page 276-277
of
Document

Circular Letter to all Comrades

Dear Comrades!

When in 1938 we undertook the task of extending throughout the Reich the idea of Sepp Schuster, who earlier had gathered about him in Munich a numerous circle of former fighters from the Bund "Friends of the New Germany", and of establishing the "Comradeship USA", we were moved by three reasons:

first, we wished to continue here in the fatherland the comradeship which enabled us to overcome all obstacles and difficulties over there (in the United States) to help each other and, by the exchange of our experiences during the period of struggle in the United States, to gather strength and courage for our daily work,

second, we wished also through the establishment of this Comradeship to place at the disposal of our fatherland ourselves and the experience which we gained over there,

and, finally, we hoped in some manner to give our fighting brothers over there moral support, even if only through the fact that we, who had returned, loyally remembered the brave fighters at whose side we stood through the years at the front.

Accordingly, Comradeship groups were established in Stuttgart, Berlin, Hamburg, and Hanover; and shortly before the beginning of the war it was possible, through the cooperation of the German Foreign Institute and the city of Stuttgart, to hold the first national meeting of the Comradeship USA in conjunction with the opening of the exposition "American Germanism in Combat", an unforgettable experience for all who participated!

The war drew a heavy line through our extensive plans for the future, and further repatriation practically stopped. The greater part of our comrades hastened to the flag, some Comradeship groups were completely orphaned. Furthermore, Fritz Gissibl was transferred to the east to Litzmannstadt (Lodz, Poland), Sepp Schuster went to Berlin, and, in the first days of the war, Ernst Vennekohl and I exchanged the desk for weapons.

(p.4) Consequently, at present our list of addresses is partly out of date. Many comrades have moved without furnishing us with their new addresses. A number of letters which I have written recently in an effort to revive our Comradeship remain unanswered.

Nevertheless, the Comradeship USA still lives. That is evident from the work of our Berlin group, which, in the meantime, has become by far the largest. That is also known to the comrades in the field who were remembered last Christmas with a package. That is apparent in all letters from the front and is also heard in the often impatient inquiries as to what the Comradeship is actually doing.

It is, therefore, only necessary to give the first stimulus to the resumption of our activity. That is to be provided by this first circular letter.

Walter Kappe

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

Seite 264-265
des
Dokuments

Rundbrief an alle Kameraden

Liebe Kameraden!

Als wir im Jahre 1938 daran gingen, die Idee Sepp Schusters, der schon fruehrer in Muenchen einen stattlichen Kreis einstiger Mitkaempfer aus dem Bund "Freunde des Neuen Deutschlands" um dich geschart hatte, auf das Reichsgebiet zu erweitern und die "Kameradschaft USA." zu gruenden, bewogen uns dazu drei Gesichtspunkte:

einmal wollten wir die Kameradschaft, die uns drueben alle Hindernisse und Schwierigkeiten bewaeltigen liess und in der wir unser hoechstes Erlebnis fanden, hier im Vaterlande fortsetzen, uns gegenseitig helfen, im Austausch unserer Erinnerungen an die Kampfzeit in USA. uns Kraft und Mut fuer den Alltag holen,

zum anderen aber wollten wir durch Bildung dieser Kameradschaft uns selbst und unsere drueben gesammelten Erfahrungen unserem Vaterland zur Verfuegung stellen

und schliesslich erhofften wir, irgendwie unseren kaempfenden Bruedern drueben einen moralischen Rueckhalt zu geben und sei es nur durch die Tatsache, dass wir, die Rueckgewanderten, in Treue jener tapferen Kaempfer gedachten, mit denen wir Jahre hindurch in einer Front gestanden hatten.

So wurden in Stuttgart, Berlin, Hamburg, Hannover Kameradschaften gegruendet und kurz vor Kriegsbeginn konnte durch Entgegenkommen des Deutschen Ausland-Institutes und der Stadt Stuttgart das erste Reichstreffen der Kameradschaft USA. verbunden mit der Eroeffnung der Ausstellung "Amerika-Deutschtum im Kampf" abgehalten werden, ein unvergessliches Erlebnis fuer alle Teilnehmer!

Der Krieg machte durch unsere weiteren Zukunftsplaene einen dicken Strich, auch hoerte die weitere Rueckwanderung so gut wie auf. Ein grosser Teil unserer Kameraden eilte zu den Fahnen, einzelne Kameradschaftsgruppen verwaisten voellig. Dazu kam, dass Fritz Gissibl im Osten, in Litzmannstadt, eingesetzt wurde, Sepp Schuster nach Berlin ging, Ernst Vennekohl und ich schon vom ersten Kriegstage an den Schreibtisch mit der Waffe vertauschten.

So ist denn heute unsere Anschriftenliste zum Teil veraltet, viele Kameraden sind verzogen, ohne uns ihre neue Anschrift hinterlassen zu haben. Eine Reihe von Briefen, die ich in letzter Zeit in dem Bemuehen schrieb, unsere Kameradschaft neu zu beleben, blieb ohne Antwort.

Trotzdem aber lebt die Kameradschaft USA,, das spuert man aus der Arbeit unserer Berliner Gruppe, die inzwischen die weitaus groesste geworden ist, das wissen auch die im Felde stehenden Kameraden, die auch zum letzten Weihnachtsfest mit einem Paeckchen bedacht wurden, das klingt auch aus allen Feldpostbriefen und das hoert man aus den oft ungeduldigen Anfragen, was denn eigentlich die Kameradschaft mache.

Es kommt also nur darauf an, den ersten Anstoss zur Wiederaufnahme unserer Taetigkeit zu geben.

Das soll dieser erste Rundbrief besorgen.

(Walter Kappe)

H1239-0321

Page 278 of Document

Collection of Documents Concerning the Movement:

The collection of pictures, photos, handbills, pamphlets, newspaper clippings, and posters of the German national movement in the United States, which was begun by me in the spring of 1939, will be continued.

The material already at hand is to be built up to a complete collection, which later is to be incorporated into the German Foreign Institute as well as the Central Archives of the NSDAP in Munich, as an eternal record of our struggle in the United States.

The original documents will be returned to each comrade after recording, so that no sacrifice of personal souvenirs will occur. I only ask you to have patience.

Seite 267 des Dokuments

Sammlung von Dokumenten aus der Bewegung:

Die von mir im Fruehjahr 1939 eingeleitete Sammlung von Bildern, Fotos, Flugblaettern, Broschueren, Zeitungsberichten und Plakaten aus der voelkischen Bewegung in USA wird fortgesetzt.

Mit dem bereits vorhandenen Material soll es zu einer lueckenlosen Sammlung ausgestaltet werden, die spaeter einmal dem Deutschen Ausland-Institut sowie dem Zentralarchiv der NSDAP. in Muenchen als ewiges Dokument unseres Kampfes in USA. einverleibt werden soll.

Die Originalstuecke werden nach Bearbeitung an jeden Kameraden zurueckgegeben werden, sodass eine Einbusse an persoenlichen Andenken nicht erfolgt. Nur bitte ich, Geduld zu haben.

Page 315 of Document

The Fuehrer had to come in order to hammer into all of us the fact that the German cannot choose and may not choose whether or not he will be German but that he was sent into this world by God as a German and that God thereby had laid upon him as a German duties of which he cannot divest himself without committing treason to Providence. Therefore, we believe and we know that the German everywhere is a German - whether he lives in the Reich or in Japan, in France or in China, or anywhere else in the world. Not countries or continents, not climate or environment but blood and race determine the world of ideas of the German.

Seite 125

Der Fuehrer musste kommen, um uns allen die Tatsache einzuhaemmern, dass der deutsche Mensch nicht waehlen kann und nicht waehlen darf, ob er deutsch sein will oder nicht, sondern dass er als Deutscher auf diese Welt von Gott gesetzt worden ist, und dass Gott ihm dabei Pflichten als Deutscher auferlegt, deren er sich nicht entledigen kann, ohne Verrat an der Vorsehung zu ueben. Deshalb glauben wir und wissen wir, dass der Deutsche ueberall Deutscher ist - mag er leben im Reich oder in Japan, in Frankreich oder in China oder sonstwo auf dieser Welt. Nicht Laender oder Weltteile, nicht Klima oder Umgebung, sondern Blut und Rasse bestimmen die Gedankenwelt des Deutschen.

* Dieser deutsche Originaltext ist von Seite 125 des folgenden Buches entnommen:

Der Parteitag der Ehre. 2. Auflage, 1936
Zentralverlag der NSDAP, Franz Eher Nachf. Muenchen

(This German original text has been taken from page 125 of the following book:

Der Parteitag der Ehre. 2 Auflage, 1936
Zentralverlag der NSDAP, Franz Eher Nachf., Munich)

H1239-0322

H1239-0323

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

Seite 382-383 des Dokuments

Rudolf Hess gedenkt zum Abschluss seiner Rede der Stuttgarter Tage des vergangenen Jahres, als hier in Stuttgart deutsche Maenner und Frauen, deutsche Buben und Maedel in ihren heimischen Trachten erschienen waren, gluehend beseelt vom grossdeutschen Gedanken, leidenschaftlich bewegt vom National-Sozialismus, aber doch eben aeusserlich Volksdeutsche, Deutsche fremder Staatsangehoerigkeit.

"Heute", so fuhr Rudolf Hess fort, "stehen sie auch aeusserlich in unseren Reihen. Sie werden stolz und gluecklich in den Formationen der national-sozialistischen Bewegung mit ihrem Fuehrer in Nuernberg vorbeimarschieren - diesmal als Reichsdeutsche ! Und wir alle sind von Herzen gluecklich, wenn wir sie sehen. Sie haben einen langen und zaehen Kampf gekaempft, einen Kampf mit einem hinterhaeltigen und verlogenen Gegner. Sie haben sich ihre Heimat erkaempft, und sie haben sich zu der Liebe, die ihnen Deutschland immer entgegengebracht, die stolze Anerkennung des ganzen Volkes errungen."

Der Kampf der Sudetendeutschen.

Rudolf Hess gedenkt hier des aehnlichen Ringens in einer anderen deutschen Volksgruppe um ihr nationales Lebensrecht: "Mit tiefster Anteilnahme fuer ihre Leiden sieht das deutsche Volk auf die deutschen Volksgenossen in der Tschechoslowakei. Niemand auf der Welt, der sein eigenes Volk liebt und stolz auf sein Volk ist, wird es uns verdenken, wenn wir auch hier von dieser Stelle aus unsere Gedanken zu den Sudetendeutschen wenden, wenn wir ihnen sagen, dass wir voller Bewunderung sehen, wie sie trotz schlimmster Schikane, trotz Terror und Mord, eiserne Disziplin wahren. Haette es ueberhaupt eines Beweises bedurft, dass beste deutsche Tugenden sich im Sudetendeutschtum verkoerpern, dann ist es diese eiserne Disziplin und die unerschuetterliche Ruhe, die aus dem Gefuehl des eigenen Rechts kommt. Ihr wisst es im Sudetenland: Wir sind mit heissem Herzen bei Euch. (Mit jubelnder Begeisterung unterstreichen die Massen diesen Gruss des Stellvertreters des Fuehrers an die Sudetendeutschen). Bei Euch liegt das Recht von 3 1/2 Millionen deutscher Menschen, das Recht von Millionen Angehoerigen eines grossen Volkes, ihr Leben so zu fuehren und so zu gestalten, wie es die Zugehoerigkeit zu diesem Kulturvolk gebietet."

Page 382-383 of Document

At the close of his talk, Rudolf Hess recalls the days last year in Stuttgart, when German men and women, German boys and girls in their native costumes appeared here in Stuttgart, aglow with enthusiasm for the idea of a Greater Germany, passionately moved by National-Socialism but nevertheless outwardly "Volksdeutsche", Germans of foreign citizenship.

"Today", Rudolf Hess continued, "they also stand openly in our ranks. Proudly and happily they will march in the formations of the National Socialist movement past their Fuehrer in Nuremberg - this time as German citizens ! .....

With all our hearts we rejoice as we see them. They have fought a long and tough battle, a battle against a treacherous and mendacious enemy. They have succesfully fought for the possession of their homeland and in addition to the affection always shown them by Germany, have won the proud recognition of the entire nation ."

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

H1239-0324

The Struggle of the Sudeten-Germans

Rudolf Hess then recalls the similar struggle of another German folk-group for its national right to live:

"The German people looks at the German racial comrades in Czechoslovakia with the profoundest sympathy for their suffering. No one in the world, who loves his own people and is proud of his own people, will find fault with us, if from this place here we also turn our thoughts to the Sudeten Germans, if we say to them that filled with admiration (we see how they are maintaining an iron discipline, despite the worst chicanery, despite terror and murder). If it had in general required a proof, that the best German virtues are embodied in Sudeten Germandom, then it is proved by this iron discipline, and this steadfast calm, which comes from the feeling of one's own right. You in Sudetenland know: We stand by you, with passionate hearts. (The masses emphasize this greeting of the Fuehrer's Deputy to the Sudeten Germans with jubilant enthusiasm.) The right of three and one-half million Germans lies with you, the right of millions of members of a great people to conduct their life and so to shape it as adherence to this people of culture demands".

December 16 1945

CERTIFICATE OF TRANSLATION
OF DOCUMENT 3258-PS

I, OLGA H HOFFMANN, 046425, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of Document 3258-PS.

OLGA H HOFFMANN
046425

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

H1239-0325

Page 446-447- 448
of
Document

VEREIN FUER DAS DEUTSCHTUM IM AUSLAND
(LEAGUE FOR GERMANDOM IN FOREIGN COUNTRIES)
BERLIN W 30, MARTIN LUTHER STREET 97

THE REICH'S MINISTER OF THE INTERIOR IS FOR THE VDA WORK!

Transcript II B 7855/27.4
THE REICHS MINISTER OF THE INTERIOR
II B 7855/4.2

BERLIN, February 24,1933

To the Governments of the Federal States
(Landesregierungen)

Re: Verein fuer das Deutschtum in Ausland,
(League for Germandom in Foreign Countries)
Deutscher Schulverein e.V.
(German School League, Inc.)

My Ministry in its attention to national tasks has to a special degree exercised protection over and furtherance of Germandom in the border countries and Germandom in foreign countries. A large number of institutions concerned with special tasks in this sphere are being supported as far as possible by means at my disposal. Among all these the League for Germandom in Foreign Countries, German School League, Inc., Berlin, enjoys an especially favored position. To its work carried on for half a century is due the maintenance of so many German schools, churches, newspapers, or other institutions in the German settlements in foreign countries. Without such maintenance of these institutions large German folkgroups, especially under the pressure of the post-war period, would have perished as cultural fertilizer for foreign peoples. Unfortunately in past years a certain reserve among wide circles of the population was noticeable with regard to the propaganda work of the above-named national League, and also administrative restrictions on its activities have not been left undone. It appears to me, therefore, as an urgent duty of the Reich and of the federal states not only to set aside such hindrances but also to enable the League for Germandom in Foreign Countries to unfold the increased propaganda work in all spheres which it desires. Also, regard for the needs and misery of the time, and for the lack of work and bread within Germany, ought not to divert attention from the fact that the around 30 million Germans in foreign countries (Auslandsdeutschen) outside of the present contracted borders of the Reich are an integral part of the entire German people. They are an integral part, which the Reich's Government is not able to help economically, but whose cultural support through the league primarily concerned with this, the League for Germandom in Foreign Countries it considers it is obligated to make possible.

I should like accordingly to direct the special attention of the governments of the federal states to the activity of the League for Germandom in Foreign Countries with the idea that it be accorded privileged treatment. It is primarily by the school groups which carry on the propaganda work of the League, in which at the same time the education of the youth to patriotic thinking takes place, an education which is above denominational and party differences. I will, therefore, attach the greatest value to the fact that its school meetings be accorded the greatest freedom of action and that the pupils be allowed to wear the insignia of the League in the schools. I would expect an effective enlivenment of this work, if the supervisors of all the schools, in their annual reports to their superior authorities concerning the school activities, will be urged to report the furtherance of the League by the school groups of each school.

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

Last year, in accordance with the particular desire of the Reich's President, the "German School Celebration", aiming to extend the pan-German consciousness of our youth beyond the borders of the Reich, was held with great success in the Berlin Stadium. Moreover, in the current year the "German School Celebration" is to take place in Beuthen, Breslau, Erfurt, Duesseldorf, Gera, Gladbeck, Koeslin, Cologne, Munich, Nuremberg, Karlsruhe, and Stettin, among others. I would welcome it, if the "German School Celebration" could be introduced extensively through the Reich, since no project is more suited to put all the schools, and especially the elementary schools, in the service of Germandom in foreign countries, while the big national assembly of the VDA always affects only groups, primarily those from the higher schools. I am honored, therefore, to refer the governments of the federal states especially to the introduction of the "German School Celebration", so that the school authorities may be induced to support this event and to facilitate the preparations for the celebration by special orders, as has occured in Berlin.

Along with the school work of the League for Germandom in Foreign Countries, its general propaganda work among the public has assumed greater significance for the continuance of the German folk-groups in foreign countries in the same measure in which, in view of the financial situation of the Reich and of the federal states, the possibility of granting direct subsidies from the budget has become smaller. In the last year, with the approval of the Prussian State Commissar for the Regulation of Relief Work, a collection has taken place in all Prussia and, despite the poor economic situation, has had gratifying results in view of the national awakening of the German people, so that the League has approximately succeeded through the new collections in compensating for the considerable decrease of its other income. The request of the League, by intercession with the governments of the federal states to enable it to carry out this collection throughout the whole of the Reich, is accordingly most cordially seconded by me. The success of last year's collection was due to the fact that in Prussia the Senior Presidents, the Governing Presidents, and the State Councilors have devoted themselves to the service of the cause in the most commendable way. I would be grateful if all the governments of the federal states permit this collection and further it in the same way.

I would appreciate an answer approving my preceding remarks, and in the given case a report concerning what has already been done.

I have sent a copy to the Foreign Office.

Signed, FRICK

Seite 444-445 des Dokuments

Der Reichsminister fuer die V.D.A.-Arbeit!

Abschrift II B 7855/27. 4.
Der Reichsminister des Innern.
II B 7855/4.2.

Berlin, den 24. Februar 1933

An die Landesregierungen.

Betrifft: Verein fuer das Deutschtum im Ausland, Deutscher Schulverein e.V.

Bei der Pflege der nationalen Aufgaben hat mein Ministerium in besonderem Masse den Schutz und die Foerderung des Grenz-und Auslanddeutschtum ausgeuebt. Eine groessere Zahl mit Sonderaufgaben auf diesem Gebiete betrauter Einrichtungen wird aus mir zur Verfuegung stehenden Mitteln so weit moeglich unterstuetzt. Unter allen diesen nimmt der Verein fuer das Deutschtum im Ausland, Deutscher Schulverein e.V., Berlin, eine bevorzugte Stellung ein. Seiner durch ein halbes Jahrhundert hindurchgefuehrten

H1239-0326

H1239-0327

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

Arbeit ist die Erhaltung so mancher deutschen Schule, Kirche, Zeitung oder sonstigen Einrichtung in den Volkssiedlungen deutscher Abstimmung im Ausland zu verdanken. Ohne die Erhaltung dieser Einrichtungen waeren grosse deutsche Volksgruppen vor allem unter dem Druck der Nachkriegszeit als Kulturduenger fremden Volkstums untergegangen. Leider war in den vergangenen Jahren eine gewisse Zurueckhaltung weiter Volkskreise gegenueber der Werbearbeit des genannten Volksvereins festzustellen und auch behoerdliche Einengungen seiner Taetigkeit sind nicht unterblieben. Es erscheint mir jedoch als dringende Pflicht des Reichs und der Laender, nicht nur solche Hemmungen zu beseitigen, sondern dem Verein fuer das Deutschtum im Ausland auf allen von ihm gewuenschten Gebieten eine groessere Entfaltung der Werbung zu ermoeglichen. Es darf auch die Ruecksicht auf die Not und das Elend der Zeit, auf den Mangel an Arbeit und Brot im Binnendeutschland den Blick nicht davon ablenken, dass die rund 30 Millionen Auslanddeutschen ausserhalb der verengerten gegenwaertigen Reichsgrenzen ein Bestandteil des deutschen Gesamtvolkes sind, ein Bestandteil, dem die Reichsregierung zwar wirtschaftlich keine Hilfe zu bringen vermag, dem sie jedoch die kulturelle Stuetzung durch den in erster Linie hiermit befassten Verein fuer das Deutschtum im Ausland zu ermoeglichen sich verpflichtet haelt.

Ich moechte daher die besondere Aufmerksamkeit der Regierungen der Laender auf die Taetigkeit des Vereins fuer das Deutschtum im Ausland mit dem Ziele lenken, dass ihm eine bevorzugte Behandlung zuteil werde. Vornehmlich sind es die Schulgruppen, die die Werbung des Vereins tragen, in denen sich zugleich eine ueberkonfessionelle und ueberparteiliche Erziehung der Jugend zum vaterlaendischen Denken vollzieht. Ich wuerde daher groessten Wert darauf legen, dass seinen Schulsammlungen weitester Spielraum gewaehrt wird und dass auch den Schuelern und Schuelerinnen das Tragen von Abzeichen des Vereins innerhalb der Schule gestattet wird. Eine wirksame Belebung dieser Arbeit wuerde ich mir davon versprechen, wenn die Leitung aller Schulen in ihren Jahresberichten ueber den Schulbetrieb auch ueber die Foerderung des Vereins fuer das Deutschtum durch die Schulgruppen jeder Schule den vorgesetzten Behoerden gegenueber sich zu aeussern angehalten wuerden.

Zur Weitung des gesamtdeutschen Bewusstseins der Jugend ueber die Reichsgrenzen hinweg hat im vergangenen Jahre, von besonderen Wuenschen des Herrn Reichspräsidenten geleitet, im Berliner Stadion das "Fest der deutschen Schule" mit grossem Erfolge abgehalten werden koennen. Im laufenden Kalenderjahr soll das "Fest der deutschen Schule" ausserdem in Beuthen, Breslau, Erfurt, Duesseldorf, Gera, Gladbeck, Koeslin, Koeln, Muenchen, Nuernberg, Karlsruhe, Stettin, u.a. stattfinden. Ich wuerde es begruessen, wenn das "Fest der deutschen Schule" in weiten Kreisen des Reichs zur Einfuehrung kaeme, da kein Vorhaben geeigneter ist, alle Schulen, somit auch gerade die Volksschulen, in den Dienst des Auslanddeutschtums zu stellen, waehrend die grosse Reichstagung des VDA stets nur Gruppen, vor allem solche der hoeheren Schulen, erfasst. Ich beehre mich daher, die Regierungen der Laender besonders auf die Einfuehrung des "Festes der deutschen Schule" hinzuweisen, damit die Schulbehoerden veranlasst werden, sich hinter die Veranstaltung zu stellen, und durch besondere Erlasse, wie es in Berlin geschehen ist, die Vorbereitungen des Festes erleichtern.

Neben der Schularbeit des Vereins fuer das Deutschtum im Ausland hat seine allgemeine Werbung in der Oeffentlichkeit an ernster Bedeutung fuer das Weiterbestehen der deutschen Volksgruppen im Ausland in demselben Ausmasse gewonnen, in dem angesichts der Finanzlage von Reich und Laendern die Moeglichkeit aus Etatsmitteln unmittelbare Zuschuesse zu gewaehren, geringer geworden ist. Im vergangenen Jahr hat mit Genehmigung des Preuss. Staatskommissars fuer die Regelung der Wohlfahrtspflege in ganz Preussen eine Landessammlung stattgefunden, die trotz der schlechten Wirtschaftslage angesichts des nationalen Erwachens des deutschen Volkes einen erfreulichen Erfolg gehabt hat, sodass es dem Verein gelungen ist, die erhebliche Verringerung seiner sonstigen Einnahmen durch die neuen Sammlungen annaehernd aus zugleichen. Die Bitte des Vereins, ihm durch Fuersprache bei den Regierungen der Laender die Durchfuehrung dieser Landessammlung im ganzen Reichsgebiet zu ermoeglichen, wird daher von mir lebhaft befuerwortet.

TRANSLATION OF DOCUMENT 3258-PS
(cont.)

Der Erfolg der vorjaehrigen Sammlung war darauf zurueckzufuehren, dass in Preussen die Oberpraesidenten, die Regierungspraesidenten und die Landraete sich dankenswerterweise selbst in den Dienst der Sache gestellt haben. Ich waere dankbar, wenn nunmehr alle Laendesregierungen die Landessammlungen zuliessen und in gleicher Weise foerderten.

Fuer eine zustimmende Aeusserung zu meinen vorstehenden Ausfuehrungen, gegebenenfalls fuer eine Mitteilung ueber das bereits Veranlasste waere ich dankbar.

Dem Auswaertigen Amt habe ich Abschrift uebersandt.

gez. FRICK

H1239-0328

Copy of Document 3303-PS
Office of U.S.Chief of Counse.

H1239-0329

Handbook of The German Reich

Edited by the Reich- and Prussian Ministry of the Interior,

Berlin, 1936

p. 114,115,116

II. Reich- and Prussian Ministry of the Interior:
Berlin NW 4o, Am Koenigsplatz 6
p. 115

Reich- and Prussian Minister of the Interior:

Dr. Frick

State Secretary: Pfundner, Deputy of the Minister

Deputy of the State Secretary: ate Sec_

retary p. 116

Division I: Constitution and Legislation

Juristiction: General affaire of the interior; Party and State; NSDAP, its branches, and affiliated organizations; Reich Governors; Reichstag; State Council; Reichstag elections and plebiscites; Administrative courts; mediation of civil claims against the State; law of confiscation; law of organization and assembly; official publications (Reich Publishing House, Reich Printing Office); editing of the Reichsgesetzblatt (German Legal Register) and of the Reichsministerialblatt (Reich Ministerial Gazette); armed forces and Reich defense; citizenship; naturalization;.....; immigration and emigration; Reich Office for Emigration; racial law and policy; law for the protection of blood; . . .

Chief: Dr. Stuckart, State Secretary.

Permanent Deputy: Hering, Privy Counselor, Ministerial Dirigent.

p. 119

Reich Committe for the Protection of German Blood
Building of the Reich and Prussian Ministry of the Interior,
Am Koenigsplatz

Established on the basis of the executive order to section 3 of the First Decree for the Protection of German blood and German honor of December 23, 1935) Reich Ministerial Gazette, p. 881) .....

President: Dr. STUCKART, State Secretary in the Reich and Prussian Ministry of the Interior ...
Members: Dr. Gross, Chief of the Office for Racial Policy of the NSDAP .....

I, Robert M.W. Kempner, an expert consultant of the War Department, personally appeared before the undersigned attesting officer and upon being duly sworn state that the above extract is a literal translation from the official German source indicated above.

Robert M.W. Kempner

Subscribed and sworn to before me this 7 day of July

H1239-0330

PARTIAL TRANSLATION OF DOCUMENT 3304-PS
OFFICE OF U.S. CHIEF OF COUNSEL

1939 REICHSGESETZBLATT, PART 1, PAGE 2133

Second Order for the Execution of the Decree of the Fuehrer and Reich Chancellor concerning the formation and administration of Eastern territories.
2 November 1939

Zweite Verordnung zur Durchfuehrung des Erlasses des Fuehrers und Reichskanzlers ueber Gliederung und Verwaltung der Ostgebiete
vom 2. November 1939

...

Par. 2.

(1) The Reich Statthalter will further be assigned a Higher SS and Police Leader who will be subordinate personally and directly to the Reich Statthalter. He is at the same time the representative of the Reich Commissar for the strengthening of German racial groups.

...

Berlin, 2 November 1939

The Reich Minister of the Interior

F r i c k

...

Par. 2

(1) Dem Reichsstatthalter wird ferner ein hoeherer SS- und Polizeifuehrer zugeteilt, der dem Reichsstatthalter persoenlich und unmittelbar unterstellt ist. Er ist zugleich der Beauftragte des Reichskommissars fuer die Festigung deutschen Volkstums.

...

Berlin, Den 2. November 1939

Der Reichsminister des Innern

F r i c k

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO 3304-PS

9 January 1946

I, KATHERINE WALCH, Civilian, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document 3304-PS.

KATHERINE WALCH
Civilian.

3304-PS

H1239-0331

DOCUMENT 3399-PS
OFFICE OF US CHIEF OF COUNSEL

A F F I D A V I T

I, ROBERT M.W. KEMPNER, as expert Consultant of the War Department appeared before the undersigned attesting officer and having been duly sworn stated as follows.

In the summer of 1930, when I was legal counsellor of the Police Division of the Prussian Ministry of Interior, I was officially notified that the then Minister of the Interior of Thuringia, Wilhelm Frick, identical with the defendant WilhelmFrick in Nuernberg, made attempts, by misusing his own official position, to secure a fraudulent naturalization for the then stateless Adolf Hitler.

As Minister of the Interior of Thuringia, Frick had jurisdiction to appoint civil servants. Such an appointment would have conferred automatically German citizenship to the appointee according to the German Citizenship Law of 1913, which was then in force.

The National Socialist Minister, Frick, together with other officials of his ministry took at that time the preparatory steps in order to secure German citizenship for the Party Leader, Adolf Hitler. This act was fraudulent because Frick himself and Hitler knew that the latter was not supposed to perform any functions of the office to which he was to be appointed, but that the whole maneuver was only done in order to naturalize Hitler and thus enable him to run for high office in Germany.

When this matter became officially known to the undersigned and his superior it was decided to intervene officially and to prevent the fraudulent appointment, by making these plans public. This was done and Frick did not succeed with his project.

Only a considerable time later the National Socialist Ministry of the German State of Brunswick succeeded in naturalizing Hitler by appointing him to the position of a government counsellor of the State of Brunswick, attaching him to the Legation of the State of Brunswick in Berlin. The importance of this whole maneuver became apparent when immediately thereafter the newly naturalized Hitler became able to run for the office of Reichs-President.

(s) Robert M.W. Kempner
ROBERT M.W. KEMPNER

Subscribed and sworn to before me this 11th day of December 1945

(s) Norman A. Stoll
NORMAN A. STOLL
Captain, JAGD

H1239-0332

TRANSLATION OF DOCUMENT 3443-PS
OFFICE OF U S CHIEF OF COUNSEL

The Activities of the Defendant Wilhelm FRICK

Wilhelm Frick, former Reichsminister of the Interior, became in August 1943 so-called Reichsprotector in Bohemia and Moravia. Simultaneously with this appointment, Hitler also reorganised the position, duties and rights of the Reichsprotector. By virtue of this reorganisation the Reichsprotector became in future the representative of Hitler in his character as Chief of the Reich. It was his duty to confirm the members of the so-called Protectorate Government, to nominate and dismiss German officials in the Protectorate and decide on their superannuation; his competence extended further to amnesty and abolition.

From the point of view of Czecho-Slovakia, Wilhelm Frick has also been guilty in his character as Minister of the Interior. Frick was already Minister of the Interior in January 1933.

Already the Decree of Hitler of 1.10.1939 (RGBl. I, page 1331) regarding the administration of the Sudeten-German territory bears inter alia Frick's signature. By the occupation of the frontier territory, the integrity of the Czecho-Slovak Republic was illegally violated. Paragraph 81 et seq. of the Treaty of Versailles, and the Arbitration Agreement between the Czecho-Slovak Republic and Germany of 16.10.1925 (Locarno Pact), which decided that all disputes between the Czecho-Slovak Republic and Germany, of whatever kind, must be brought before the Permanent International Tribunal, were thereby violated. Hitler's Decree, above cited, regarding the administration of the Sudeten-German territory, stipulated that Frick himself, as Minister of the Interior, should be the main authority for the transfer of the Sudeten-German territory.

Hitler's Decree of 16.3.1939 (VBlProt. Page 7) regarding the establishment of the so-called Protectorate of Bohemia and Moravia bears Frick's signature. This Decree of Hitler not only violates at the same time the Treaty of Versailles and the bilateral Locarno Pact, but also the agreement of the four Great Powers, enforced by Hitler himself, regarding the cession of the frontier territory, of 29. and 30. September, 1938 (Munich Agreement).

Of the more important authoritative decisions for which Frick is responsible, we cite particularly his Decree of 5.12.1941 (VBlProt 1942, page 16 RGBl. I Page 750.) regarding the introduction of certificates, so-called identity cards, in the territory of the so-called Protectorate of Bohemia and Moravia, in the so-called Sudeten territory and in the Eastern territories. It is true that at first sight it might give the impression of being a simple regulation for the purpose of obtaining police evidence regarding the population; this regulation, however, had a much more profound basis and background. The object of this evidence was - in so far as it concerned the Bohemian countries - the germanising and expulsion of the majority of the Czech population (approx. 60%) from Bohemia and Moravia.

Another authoritative decision which may be charged to Frick's account is his Order of 10.7.1942 (RGBl. I page 466) regarding the introduction of the legal regulations for the Technical Emergency Service in the Protectorate. By the realisation of this measure Frick contributed in a great degree to the increase of Germany's war potential and thereby to the prolongation of the war.

H1239-0333

Frick was also one of the signatories of the Order of 7.6.1939 (RGBl. I Page 1039) regarding the right of publication of legal regulations in the Protectorate.

To the sphere of Frick's Ministry of the Interior belong also the Concentration Camps established in the Reich, in which also Czech nationals were confined. The blame for the administration of these camps therefore also revolves on Frick.

Prague, 12th December 1945

Nuernberg, December 15, 1945

Supplement Nr. 5 to the Official Czechoslovak Report

called "German Crimes Against Czechoslovakia"

Presented by order of the Czechoslovak Government by Colonel Dr. B. ECER, Plenipotentiary Minister, Czechoslovak Representative to the Commission of the United Nations for the Investigation of War Crimes in London, at present Chairman of the Czechoslovak Delegation to the Nuernberg Proceedings.

By order of my Government I submit Supplement Nr. 5 of the Czechoslovak Report in Accordance with Art. 21 of the Charter containing an official memorandum on the activities of the defendant Wilhelm FRICK.

for Colonel Dr. B. ECER
Capt. Dr. A. Hochwald

CERTIFICATE OF TRANSLATION
OF DOCUMENT No. 3443-PS

17 December 1945

I, CATHERINE BEDFORD, 110561, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of Document No. 3443-PS.

CATHERINE BEDFORD
110561

H1239-0334

PARTIAL TRANSLATION OF DOCUMENT 3475-PS
OFFICE OF U.S. CHIEF OF COUNSEL

MANUAL FOR ADMINISTRATIVE OFFICIALS. (1943)

(Taschenbuch fuer Verwaltungsbeamte (1943))

Pages 12 following

II. Reich Ministry of the Interior.

. . . . .

Reich Minister of the Interior: Dr. Frick.

Chief of the Bureau of the Minister: Dr. Draeger, Ministerial Councillor.

Adjutant: Radtke, Major of Gendarmerie.

General Councillor of the Minister: Dr. Draeger, Ministerial Councillor.

Legal Councillor: Dr. Rudmann, Ministerial Councillor.

First State Secretary: Pfundtner, deputy of the Minister.

At Special Disposal of the State Secretary: Keibel, Ministerial Councillor.

Public Relations Officer: Dr. Draeger, Ministerial Dirigent

State Secretaries: Dr. Stuckart; Dr. Conti, Reich Health Leader.

Reichsfuehrer SS and Chief of the German Police in the Reich Ministry of the Interior: Himmler.

Reich Labor Leader in the Ministry of the Interior: Hierl, Reich Leader.

Director of the Ministerial Bureaus: Weber, Superior Government Councillor.

Corporate Groups Administrator: Sevecke, Ministerial Councillor.

Under the Immediate Direction of the Reich Ministry of the Interior:

Reich Administration School in Pirna (Saxony). Further schools are being organized.

Central Division (Budget, Finance and Accounting Matters, Business Matters and Distribution, Cabinet Matters, Library, etc.)

.....

State Secretary Dr. Stuckart.

In Charge of Divisions I (Constitution, Legislation, Administration and Annexed Territories) and I R (Civilian Defense of the Reich and the Occupied Territories), also of the jurisdiction of the Chief of Staff of the General Plenipotentiary for the Reich Administration.

Deputy: Ehrenberger, Ministerial Dirigent.

At Personal Disposal of the State Secretary: Kettner, Ministerial Councillor.

At Personal Disposal of the Ministerial Director: von Herder, Government Councillor.

3475-PS

Division I (Constitution, Legislation, Administration and Annexed Territories) with 7 sub-divisions.

Chief of the Entire Division I: Dr. Stuckart, State Secretary.

Permanent Deputy: Ehrensberger, Ministerial Director.

Sub-division I Organization (Constitution and Organization).
.....

Sub-division I Administration (Legislation and Administrative Law).
.....

Sub-division I Sta. R. (Citizenship and Race).
.....

Sub-division I Southeast (New Order in the Southeast)
.....

Sub-division I B M (Protectorate of Bohemia and Moravia)
.....

Sub-division I East (New Order in the East).
.....

Sub-division I West (New Order in the West)
.....

.....

Division I R (Civilian Defense of the Reich and the Occupied Territories) with 3 sub-divisions.

Chief: Ehrensberger, Ministerial Director.

Sub-division R-V (Defense of the Reich)
.....

Sub-division I R-W (Military Law and Policies)
.....

Sub-division I R-S (War Damages)
.....

.....

Division P (Personnel Division)

Chief: Dr. von Helms, Ministerial Director.

.....

Sub-division A (General Matters; Personnel Matters of the Political Officials and Aspirants).
.....

Sub-division B (Personnel Matters of Other Officials in the Highest Bracket)
.....

Sub-division C (Personnel Matters of Officials in the Medium High, Medium and Lower Brackets, as well as of the Employees and Wage Earners).
.....

H1239-0335

H1239-0336

.....

Division II (Civil Service and Reich Examination Board)

Chief: Rüdiger, Ministerial Director
.....

Sub-division A (General Law of Civil Servants, Civil Servants' Policies, Civil Service Aspirants, Education, Training and Advanced Training of Civil Servants).
.....

Sub-division B (Pay, Extra-Curricular Activities, Travelling Expenses, Moving Expenses, Welfare of Civil Servants, Veterans, Matters of Employees and Workers).
.....

Sub-division C (Welfare)
.....

.....

Reich Examination Board for the Higher and Medium High Civil Service.
President: Rüdiger, Ministerial Director.
.....

State Secretary Dr. Conti, Reich Health Leader

In charge of Divisions III (Veterinary Matters) and IV (Health Matters and Social Hygiene).

.....

Division III (Veterinary Administration)
Chief: Dr. Weber, Professor, Ministerial Director.

.....

Sub-division A:
.....

Sub-division B:
.....

.....

Division IV (Health Matters and Social Hygiene)
Chief: Dr. Cropp, Ministerial Director

.....

Sub-division IV A (Organization, Administration and Budget Matters)
.....

Sub-division IV B (Personnel Matters)
.....

H1239-0337

Sub-division IV C (Heredity and Racial Welfare)
.....

Sub-division IV W (Social Welfare)
.....

Sub-Division IV J (Youth Welfare)
.....

.....

Division V (Municipality Division)
Chief: Dr. Suren, Ministerial Director.

.....

Sub-division I:
.....

Sub-division II:
.....

.....

Under Section 16, sub-section 3 of the Statute Concerning the Constitution and Administration of the Reich capital Berlin, dated 1 December 1936, and according to section 11 of the Statute Concerning the Constitution and Administration of the Hanseatic City of Hamburg, and according to section 5 of the First Supplementary Decree for the Carrying Out of the Statute Concerning Austrian Provinces, the following office comes within the jurisdiction of Division V:

Supervisory Board for Municipalities Established at the Reich Ministry of The Interior (Reich Capital Berlin, Hanseatic City of Hamburg, Vienna)
.....

Division VI (Germanism, Welfare Border Regions, Non-German Folk Groups, Archive Matters, Public Trusts, Colonial Problems, Colonial Schools, and Survey Matters).
Chief: Dr. Vollert, Ministerial Director.

.....

Division VIII (Sports and Athletics)
Chief: vacant

.....

Attached:
Reich Appraisal Board (Reichsfeststellungsbehörde at the Reich Ministry of the Interior)
Chief: Dr. Sibeth, Ministerial Councillor.

.....

Upper Chambers
.....

H1239-0338

First Lower Chambers
.....

Second Lower Chambers
.....

Third Lower Chambers
.....

REICHSFUEHRER SS AND CHIEF OF THE GERMAN POLICE IN THE REICH MINISTRY OF THE INTERIOR.

.....

Chief: Himmler, Reichsfuehrer SS, Reich Leader, Prussian State Councillor, Member of the Reichstag, Reich Commissioner for the Strengthening of German Folkdom.

A. Order Police (Ordnungspolizei)

.....

Chief: Daluege, Colonel General of the Police, SS Colonel General, Prussian State Councillor, Member of the Reichstag.

General Inspectors: .....

Office of Administration and Law

Chief: Bracht, Ministerial Director, SS Major General.

Chief of Office Group I: Rheins, Ministerial Councillor.

Chief of Office Group II: Dr. Bader, Ministerial Dirigent, SS Brigade General.

Chief of Office Group III: Scheidel, Ministerial Dirigent.

Group Leaders (Ministerial Councillors): .....

.....

Command Office

Chief: Winkelmann, Major General of the Police, SS Major General [illegible]

Chief of Office Group I: Grünwald, Brigadier General of the Police and SS Brigadier General.

Chief of Office Group II: Geibel, Colonel of Gendarmerie, SS Colonel.

Chief of Office Group III: Dr. Wenzel, General Surgeon of the Police, SS Brigadier General.

.....

Fire Brigades Office

Chief: Schnell, Brigadier General of the Police

.....

H1239-0339

Office for Technical Emergency Service (Technische Nothilfe)

Chief: Weinreich, Major General of the Police, SS Major General.

Technical SS and Police Academy

Commander: Prof. Dr. Gerloff, Brigadier General of the Police, SS Brigadier General.

.....

B. Security Police and SD (Reichssicherheitshauptamt) .....

Chief: Dr. Kaltenbrunner, General of the Police.

Division Chiefs:

I. Streckenbach, SS Major General, Major General of the Police.
II. Dr. Siegert, SS Colonel, Ministerial Councillor (temporary).
III. Ohlendorf, SS Brigadier General, Brigadier General of the Police.
IV. Müller, SS Major General, Major General of the Police.
V. Nebe, SS Major General, Major General of the Police.
VI. Schellenberg, SS Colonel, Government Chief Councillor.
VII. Dr. Six, SS General, Prof.

JURISDICTION

1. Reich Administration Court .....

By decree of the Fuehrer and Reich Chancellor, dated April 3, 1941 (Reichgesetzblatt RGBl. I, p. 201) the Prussion Superior Administration Court, the Reich Disciplinary Court, the Reich Economy Court, the Administrative Court in Vienna, the Highest Arbitration Boards for Amelioration and for Water and Land Groups, the Reich Claims Court, and the Reich War Damage Board have been merged into the Reich Administration Court as of May 1, 1941.

President: Dr. Hueber.

Vice President: Dr. Bach.

Division Presidents: .....

.....

2. Reich Board for Genealogical Research .....

Chief: Dr. Mayer (Kurt), Dir.

3. Reich Plenipotentiary for the Examination of Elections. .....

Reich Plenipotentiary: Dr. Medicus, Ministerial Dirigent in the Reich Ministry of the Interior.

4. Reich Supervisor of Elections. .....

Reich Supervisor of Elections: Godlewski, President of the Reich Bureau for Statistics. .....

5. Reich Publishing Office .....

Chief: Dr. Hubrich, Ministerial Dirigent in the Reich Ministry of the Interior.

.....

6. Reich Institute for the Combatting of Animal Epidemics.

Chief: Prof. Dr. Gerlach.

7. Reich Health Office. .....

President: Dr. Reiter, Prof.

.....

8. Commissary of Voluntary Nursing. .....

Commissar: Karl Eduard, Duke of Saxony-Coburg and Gotha.

.....

9. Robert-Koch-Institute, Reich Institute for the Fight Against Communicable Diseases. .....

President: Dr. Gildemeister, Prof.

10. Reich Institute for Water and Air Quality. .....

President: Dr. Konrich, Prof.

11. Reich Institute for Vitamin Tests and Vitamin Research in Berlin. .....

President: Dr. Scheunert, Prof.

12. Reich Plenipotentiary for Sanitariums and Nursing Homes. .....

Reich Plenipotentiary: Dr. Linden, Ministerial Dirigent in the Reich Ministry of the Interior.

13. Reich Bureau for Emigration Matters. .....

Director (Deputy): Dr. Müller, Ministerial Councillor.

.....

14. Reich Archive, Potsdam .. ..

Chief: Dr. Zipfel, General Director of the State Archives.

.....

H1239-0340

H1239-0341

15. Reich Archive, Vienna. .....

Chief: Prof. Dr. Bittner, Director.

.....

16. Reich Bureau of Surveys. .....

President: Vollmar.

.....

17. Central Registry for War Losses and Soldiers' Graves. .....

Director (Deputy): Weinholz, Privy Government Councillor, Ministerial Councillor.

18. Reich Sport Office and Academy for Athletics. .....

Reich Sport Leader: vacant

19. High Command (Reichsleitung) of the Reich Labor Service (with 38 regional offices of the Reich Labor Service for men and 26 regional offices for the female youth) .....

Reich Labor Leader: Hierl, Reich Leader.

Chief of Staff: Dr. Decker, General Labor Leader.

.....

20. Finance Adjustment Office at the Reich Ministry of the Interior. .....

Chief: Neefe, Chief Government Director.

.....

21. State Veterinary Bureau. .....

President: Dr. Müssemeier, Professor, Ministerial Dirigent, Director in the Reich Health Office.

22. State Health Council. .....

President: vacant

23. Hygienic Institute in Landsberg (Warthe), Beauthen (Upper Silesia) and Saarbrücken.

.....

H1239-0342

24. Prussian State Institute for Food, Pharamaceutical and Forensic Chemistry. .....

President: Dr. Prause, Prof.

25. Board for the Examination for Physicians, Dentists, Pharmacists, etc.

26. Reich Board for the Examination for State Veterinaries. .....

27. Examination Board for the Higher Survey Administration Service. .....

28. Reich Research Institute, Island of Riems.

UNDER THE SUPERVISION OF THE REICH MINISTRY OF THE INTERIOR:

1. Organization of the German Municipalities (Deutscher Gemeindetag)

Chairman: Fiehler, Reichsleiter, Chief Mayor, Munich.

Deputy: Dr. Dr. Weidemann, Prof., Chief Mayor, Halle an Saale.

.....

.....

2. Academy for German Law (see p. 37)

3. a. Reich Medical Association. .....

Chief: Dr. Conti, State Secretary, Berlin.

Deputy Chief: Dr. Blome, Professor, Berlin.

3. b. German Physicians' Court .....

4. a. Reich Veterinary Association. .....

Chief: Dr. Weber, Professor.

4. b. German Veterinary Court. .....

5. a. Reich Pharmacists Association. .....

Chief: Reich Pharmacist Leader, Pharmaceutical Councillor Schmierer, Berlin.
.....

5. b. Pharmacists' Court. .....

6. Reich Committee for Public Hygiene, Registered Association. .....

Chief: Dr. Kropp, Ministerial Director.

7. German Institute for Youth Help, Registered Association. .....

Chief: Dr. Webler.

8. German Red Cross, Office of the Chairman. .....

President: Karl Eduard, Duke of Saxony-Coburg and Gotha.

Acting President: Dr. Grawitz, Professor, SS Major General, Major General of the Waffen SS, SS and Police Reich Physician.

CERTIFICATE OF PARTIAL TRANSLATION
OF DOCUMENT NO. 3475-PS

5 January 1946

I, ILSE GRAINGER, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct partial translation of Document 3475-PS.

ILSE GRAINGER

TRANSLATION OF DOCUMENT 3564-PS
OFFICE OF U.S. CHIEF OF COUNSEL

H1239-0344

Exhibit USA 709
Filed Jan. 14, 1946

Translation from the German

A F F I D A V I T

Oberursel
27 December 1945

I, Otto L. MEISSNER, herewith declare under oath, as follows:

As former State Secretary, and later Minister of State and Chief of the Chancery of the President, I am familiar with the importance of the Reich Ministry of the Interior of which Wilhelm Frick was Chief for about ten years, from 1933 on.

Frick put through a measure requiring the approval of the NSDAP in every case of the appointment of an official; the same was true for the composition of local governments. It was his "accomplishment" that the governments of the Reich and of individual states were coordinated - a basic idea in Hitler's program. Frick, as a convinced National Socialist, had the confidence of the Party and of the Fuehrer, since he was an "old fighter" who had already supported Hitler during the November 1923 Putsch. The legislation against the Jews was drafted under Frick. Frick also, in colloboration with Klagges, Minister of Brunswick, succeeded in naturalizing Hitler as a German citizen in 1932 by having him appointed a Brunswick Government official (Counsellor of Government). This was done in order to make it possible for Hitler to run as a candidate for the office of President of the Reich.

Read to, signed, and sworn to.

/s/ Otto Meissner

Given, signed and sworn before me.

/s/ R.M.W.KEMPNER
Office of US Chief of Counsel

3564-PS

H1239-0345

I, Herma PLUMMER, Civilian, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of the Affidavit, dated 27 December 1945, received from Otto L. Meissner.

/s/ HERMA PLUMMER
Civilian.

TRANSLATION OF DOCUMENT 3565-PS
OFFICE OF U.S. CHIEF OF COUNSEL

A F F I D A V I T

Oberursel, Germany
27 December 1945

I, FRANZ Ritter von EPP, after being duly sworn, state and depose as follows:-

I was Reich Governor of Bavaria from the spring of 1933 until the entry of American troops, May 1945. In this capacity the Minister of the Interior, Wilhelm Frick, was my superior until his appointment as Reich Protector of Bohemia. During these ten years Frick won credit for coordinating in Germany party and state along party lines. The Reich was centralized through the establishment of a Reich Statthalter (Governor) created by him, and totalitarian control by the Reich Government from Berlin was introduced through the abolition of the federal character.

Reich legislation, such as for instance racial legislation and legislation concerning civil servants, was drafted in this Ministry. Frick's knowledge and experience in the field of constitutional law and administration were of greatest value to the new Government which had come to power in January 1933. He had a position of supreme importance as Chief of the domestic state machinery (Executive). Hitler gave him this important post because as a party member of many years' standing he was a trusted co-worker; as far as I know, they already knew each other at the time of the Beer Hall Putsch of 1923 in Munich.

/s/ Franz V. Epp

Given, signed and sworn before me.

/s/ R. M. W. Kempner
Office Chief of Counsel

I, Herma Plummer, civilian, hereby certify that I am thoroughly conversant with the English and German languages, and that the above is a true and correct translation of the Affidavit, dated 27 December 1945, received from Franz V. Epp.

/s/ Herma Plummer
Civilian

EXCERPTS FROM INTERROGATION TESTIMONY OF WILHELM STUCKART, FORMER STATE SECRETARY OF THE INTERIOR, taken at OBERURSEL, 21 September 1945.

H1239-0347

PARTIAL TRANSLATION OF DOCUMENT 3570-PS
OFFICE U.S.CHIEF OF COUNSEL

page 3. The exceptions granted amount as far as I know to several hundred, probably to a few thousand. Special exceptions were made for the armed forces, which as far as I know were very numerous.

page 4. The case MILCH was a rectification of descent based on a sworn affidavit of the aryan mother or father and on other proof that the natural father was not the Jewish husband but a man of German blood. Goering had requested that such procedure should take place.

page 6. As far as I know the officials for the new territories were selected by the personnel office according to their qualifications, their physical condition and maybe also their knowledge of the language.

I, ILSE GRAINGER, Civilian, hereby certify that I am thoroughly conversant with the English and German languages and that the above is a true and correct translation of excerpts of document No. 3570-PS.

/s/ Ilse Grainger

3570-PS

Exhibit USA 720
Filed Jan. 16, 1946

Document Nr. 3589 - PS
U.S.CHIEF OF COUNSEL (English)

Nuernberg, 7 January 1946.

H1239-0348

Supplement No. 6 to the Official Czechoslovak Report called "German Crimes Against Czechoslovakia".

Presented by order of the Czechoslovak Government by General Dr. B. ECER, Plenipotentiary, Czechoslovak Representative to the Commission of the United Nations for the Investigation of War Crimes in London, at present Chairman of the Czechoslovak Delegation to the Nuernberg Proceedings.

By order of my Government I submit No. 6 of the Czechoslovak Report in accordance with art. 21 of the Charter the following statement:

During the tenure of office of defendant WILHELM FRICK as Reich Protector of Bohemia and Maravia from August 1943 until the liberation of Czechoslovakia in 1945, many thousands of Czechoslovak Jews were transported from the Terezin Ghetto in Czechoslovakia to the concentration camp at Oswieczien (Auschwitz) in Poland and were there killed in the gas chambers.

Affidavits of evewitnesses in the official files of the Czechoslovak Government constitute the basis for this report.

for General Dr. B. ECER
Capt. Dr. A. Hochwald

3589-PS

Exhibit was 718
Filed Jan. 16, 1946

DOCUMENT 3592-PS
OFFICE OF U S CHIEF OF COUNSEL

CERTIFIED COPIES OF THE

CHARGES,

SPECIFICATIONS,

FINDINGS, and

SENTENCE,

IN THE CASE OF THE UNITED STATES vs. ALFONS KLEIN AND OTHERS TRIED AT WIESBADEN, GERMANY, BEFORE A MILITARY COMMISSION APPOINTED BY THE COMMANDING GENERAL, SEVENTH UNITED STATES ARMY, IN SEPTEMBER AND OCTOBER, 1945.

3592-PS

CHARGE: VIOLATION OF INTERNATIONAL LAW.

Specification: In that ALFONS KLEIN, ADOLF WAHLMANN, HEINRICH RUOFF, KARL WILLIG, ADOLF MERKLE, IRMGARD HUBER, and PHILIPP BLUM, acting jointly and in pursuance of a common intent and acting for and on behalf of the then German Reich, did, from on or about 1 July 1944 to on or about 1 April 1945 at Hadamar, Germany, wilfully, deliverately and wrongfully, aid, abet and participate in the killing of human beings of Polish and Russian nationality, their exact names and number being unknown but aggregating in excess of 400, and who were then and there confined by then German Reich as an exercise of belligerent control.

Anklage: Verletzung des Voelkerrechts.

Einzelheiten: ALFONS KLEIN, ADOLF WAHLMANN, HEINRICH RUOFF, KARL WILLIG, ADOLF MERKLE, IRMGARD HUBER und PHILIPP BLUM werden angeschuldigt, gemeinsam, in Ausfuehrung eines gameinschaftlichen Vorsatzes und fuer und im Interesse des damaligen deutschen Reiches handelnd, in der Zeit von ungefaehr 1. Juli 1944 bis ungefaehr 1. April 1945, in Hadamar, Deutschland, vorsaetzlich, mit Vorbedacht und rechtswidrig bei der Toetung von mindestens 400 Menschen Russischer und Polnischer Staatsangehoerigkeit, deren genaue Namen und Zahl unbekannt sind, und die zu der Zeit dort vom damaligen deutschen Reich unter der Machtbefugnis einer kriegfuehrenden Partei gefangen gehalten wurden, mitgewirkt, Beihilfe geleistet und teilgenommen zu haben.

Diese Uebersetzung dient ausschliesslich zum Verstaendnis fuer die

Angeklagten und deren Verteidiger

(Signature of accuser) Meade F. Griffin
/t/ MEADE F. GRIFFIN,
Lt. Col., Inf.
(Grade, organization, arm, or service)

AFFIDAVIT

Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above-named accuser this 19 day of September, 1945, and made oath that he is a person subject to military law and that he personally signed the foregoing charges and specifications, and further that he has investigated the matters set forth in specification of the Charge and the Charge, and that the same are true in fact, to the best of his knowledge and belief.

(Signature) Charles H. Taylor
(Grade and organization)
/t/ CHARLES H. TAYLOR
Capt., JAGD
(Official character, as summary court, notary public, etc.

H1239-0350

Upon secret written ballot, two-thirds of the members present at the time the vote was taken concurring in each finding of guilty, as to each accused, the Commission finds the accused:

ALFONS KLEIN

Of the Specification and the Charge: Guilty.

ADOLF WAHLMANN

Of the Specification and the Charge: Guilty.

HEINRICH RUOFF

Of the Specification and the Charge: Guilty.

KARL WILLIG

Of the Specification and the Charge: Guilty.

ADOLF MERKLE

Of the Specification and the Charge: Guilty.

IRMGARD HUBER

Of the Specification and the Charge: Guilty.

PHILIPP BLUM

Of the Specification : Guilty, except the words "1 April 1945" and "400," substituting respectively therefor the words "23 August 1944" and "70," of the excepted words Not Guilty, of the substituted words Guilty.

Of the Charge: Guilty.

The Commission, upon secret written ballot, two-thirds of the members present at the time the vote was taken concurring, as to each accused, sentences the accused:

ALFONS KLEIN

To be hanged by the neck until dead.

ADOLF WAHLMANN

To be confined at hard labor, at such place as the reviewing authority may direct, for the rest of his natural life.

HEINRICH RUOFF

To be hanged by the neck until dead.

KARL WILLIG

To be hanged by the neck until dead.

ADOLF MERKLE

To be confined at hard labor, at such place as the reviewing authority may direct, for thirty-five (35) years.

IRMGARD HUBER

To be confined at hard labor, at such place as the reviewing authority may direct, for twenty-five (25) years.

PHILIPP BLUM

To be confined at hard labor, at such place as the reviewing authority may direct, for thirty (30) years.

The president announced the findings and sentence.

I certify that the foregoing three pages contain a true and accurate copy of the Charges and Specifications, the Findings as to each accused, and the Sentence as to each accused, in the case of United States v Alfons Klein, et al.

/s/ Samuel Sonenfield
SAMUEL SONENFIELD,
Captain, JAGD,
War Crimes Branch.

H1239-0352

OFFICE U.S. CHIEF OF COUNSEL
DOCUMENT NO. 3593-PS Exhibit USA 712

Filed Jan. 16, 1946

H1239-0353

Excerpts from the Interrogation of HERMANN GOERING, taken at Nurnberg, Germany on 13 October 1945, 1045 - 1200, by Dr. R. M. Kempner, OUSCC.

p. 4, line 16.

DR. KEMPNER TO THE WITNESS (DEFENDANT HERMANN GOERING):

Q. How could you tell your press agent, one hour after the Reichstag caught fire, that the Communists did that, without any investigation?

A. Did the public relation offices say that I said that?

Q. Yes. He said you said it.

A. It is possible when I came to the Reichstag the Fuehrer and his gentlemen were there. I was doubtful at the time, but it was their opinion that the Communists had started the fire.

Q. But you were the highest law enforcement official in a certain sense. Daluege was your subordinate. Looking back at it now and not in the excitement that was there once, wasn't it too early to say without investigation that the Communists started that fire?

A. Yes, that is possible, but the Fuehrer wanted it this way.

Q. Why did the Fuehrer want to issue at once a statement that the Communists had started the fire?

A. He was convinced of it.

Q. It is right if I say that he was convinced without having any evidence or any proof of that at this moment?

A. That is right, but you must take into account that at that time the Communist activity was extremely strong, that our new government as such was not very secure.

3593-PS

PARTIAL TRANSLATION OF DOCUMENT R-96
OFFICE OF U.S. CHIEF OF COUNSEL

Copy

The Reich Minister of Justice
9170 Ostgeb. 2IIa 2 996.41

Berlin, 17th April 1941

To the
Reich Minister and Chief of the
Reich Chancellory

SUBJECT: Penal law against Poles and Jews
in the annexed Eastern territories.

Reference: Letter dated 28th November 1940 - RK 17 428 B -.
1 enclosure (file notice) to a2 - 1826.41

It has been my opinion from the outset that the special conditions prevailing in the annexed Eastern territories require special measures of penal law and penal procedure against Poles and Jews. When the special courts were introduced in the Eastern territories by the ordinance of the Commander-in-Chief of the Army, dated 5 September 1939, I immediately endeavoured to make these courts, with their particularly swift and vigorous procedure, a center for the fight against all Polish and Jewish criminality. Proof that I have succeeded in this is provided by the impressive statistical figures of the special courts for the first ten months of their activity in the Eastern territories. Thus, for instance, the special court at Bromberg passed death sentences on 201 defendants and sentences for hard labor for life on 11 defendants; 93 defendants were sentenced to 912 years of hard labor in all, averaging 10 years each. Only minor offences were prosecuted before the "Amtsgerichte" (ordinary minor courts). The "Strafkammern" (Criminal High Courts) have not been employed so far as possible, because their sentences are subject to appeal (Revision) to the "Reichsgericht" (Highest court of Appeal). I wished to avoid that any court which is not fully acquainted with the special conditions prevailing in the Eastern territories - and be it the highest court of the Reich - should decide in these matters.

The aim to create a special law for Poles and Jews in the Eastern territories was pursued further according to plan by the ordinance dated 6th June 1940. By this ordinance German Penal Law, which had been used in the Eastern territories already from the outset, was formally made applicable. In the sphere of criminal procedure the obligation to prosecute no longer applies; the public prosecutor instigates prosecutions only in cases where he considers the infliction of penalty to be in the public interest. The procedure for enforcing a prosecution (Art. 172 ff. of the Code for Penal Procedure) has been abrogated. For it seems intolerable that Poles or Jews should be able to force the German public prosecutor to instigate an indictment. Poles and Jews have also been deprived of the right to prosecute in their own names or to join the public prosecutor in an action.

In addition to this special law in the sphere of law procedure some special conditions have been included in Art. II of the introductory ordinance. These provisions were established in agreement with the Reich Minister for the Interior on the basis of needs which had made themselves felt. From the beginning it was intended to augment these special conditions in case of need. This need, which had become apparent in the meantime, was to be met by an executive and supplementary order, which was added to the original ordinance and which was referred to in the letter from the Fuehrer's deputy. This letter also mentioned the ordinances concerning the introduction of the law of extradition and of the law concerning the use of arms by authorized persons in the forest and wild life protection service, which however, are only loosely connected with the criminality of the Poles and Jews and were to serve merely the progress of general adjustment of law in the Eastern territories. As regards these two latter ordinances, as well as the executive ordinance concerning the law for the annulment of penalties and the ordinance concerning the penal register, I shall try to bring about an agreement with the deputy of the Fuehrer.

Later I was informed of the express wish of the Fuehrer that, as a matter of principle, the Poles (and I presume the Jews) are to be treated differently from the Germans within the sphere of Penal Law. After preliminary discussions with the presidents of the high courts of appeal (Oberlandesgerichte) and the presiding public prosecutors of the annexed Eastern territories, I drew up the enclosed draft concerning criminal law and procedure against Poles and Jews within the annexed Eastern territories and within the area of the former Free City of Danzig.

This draft represents an altogether special law both in the sphere of penal law and penal procedure. The suggestions of the deputy of the Fuehrer have been taken into consideration to a far reaching extent. No. 1, par. 3 contains a general crime formula on the basis of which any Pole or Jew in the Eastern territories can in future be prosecuted and any kind of punishment can be inflicted on him for any attitude or action which is considered punishable and is directed against Germandom. This provision is supplemented by No. 1, par. 2 which is already contained in the introductory ordinance, and which threatens the death sentence as the absolute punishment for any act of violence committed against a German because of his belinging to the German race. The cases under No. I, Par. 4, which are already contained in the introductory ordinance, are merely amendments, which perhaps would have been unnecessary in view of the new general crime formula. I have included them nevertheless, in order not to give rise to the erroneous opinion that the limits of criminal liability as defined in this draft are narrower than those of the law hitherto in force. Finally, No. II, makes it clear that, apart from everything a German renders himself liable to punishment. In addition, the regulation permits a far reaching application of the law (Par. 2. of the Penal Code) in tune with the requirements of the Eastern territories.

In accordance with the opinion of the deputy of the Fuehrer I started from the point of view that the Pole is less susceptible to the infliction of ordinary imprisonment. Therefore I had already taken administrative measures with the aim of keeping Poles and Jews separate from other prisoners and to inflict punishment on them in a more severe manner. No. III goes step further and replaces imprisonment, viz. the penal camp and the severe penal camps. Under these new kinds of punishment the prisoners are to be lodged outside prisons in camps and are to be forced to do heavy and heaviest labor. Further administrative orders are envisaged, concerning specialities in the sphere of disciplinary punishment (dark cells, transfer from penal camps to severe penal camps etc.)

The new kinds of punishment under No. III are applicalbe to all offences committed by Poles and Jews, even if the offence falls under a provision of the German Penal Code. On the other hand, No. III, Par. 3, makes sure that less than the minimum period of punishment and less than any obligatory punishment prescribed in any German criminal law may be inflicted if the offence was directed exclusively against the offender's own race.

The section concerning procedure contains first of all special provisions of the introductory ordinance already in force. But in future it will no longer be permissible for a Pole or a Jew, on whom sentence has been passed by a German court, to lodge an appeal against the sentence. He has no right to complain, nor may he apply for a retrial. All sentences should be open to execution at once. In future Poles and Jews may no longer challenge German judges as biassed; nor may they be put under oath. The conditions under which measures of compulsion may be used against them have been eased. It is also important that according to No. X Par. 2 the local higher courtdecides on applications for annulment on technical grounds (Nichtigkeits Beschwerdem); this will prevent any court not located in the Eastern territories from passing judgment in a case against Jews and Poles. For the rest No. XII gives both the court and the public prosecutor every freedom they can possible require vis-a-viz the "Gerichtsverfassungsrecht" (law concerning the constitution of the courst) and the Reich Law of Criminal Procedure.

It is the purpose of No. XIII to ensure the applicability of the special laws for Poles and Jews and of the abrogation of prosecution enforcement even in cases, where the Polish or Jewish offender, though domiciled in the Eastern territories, has committed an offence in some other part of the Great German Reich.

H1239-0355

A criminal law of this kind directed especially against Poles and Jews would not, in my opinion, restrict the freedom of action of the German authorities and officials; nor would the Poles and Jews take advantage of its issuance by making unjustified accusations or complaints against German officials. The penal law provides threats of punishment of such increased severity the it deterrent effect is assured to the strongest degree. Any hole in the law by which a Polish or Jewsishcriminal might escape, has been closed. As far as criminal procedure is concerned, the draft consittubes a clear expression of the political inequality of Germans on the one hand, and Bles and Jews on the other.

The introduction of corporal punishment, which the deputy of the Fuehrer has brought up for discussion, has not beenincluded in the draft, either as a form of criminal punishment or as a disciplinary punishment. I cannot agree to this type of punishment, because its infliction doesnot, in my opinion, correspond to the cultural level of the German people.

The main features of the criminal procedure proposed by the draft are greatest speed together with immediate execution of sentences; thus it will not be inferior to the procedure in courts martial. Those administering criminal justice will have the opportunity of inflicting even the heaviest penalties in every suitable case, and thus be able to cooperate actively in realizing the political aims of the Fuehrer in the Eastern territories.

I intend to submit the bill for approval to the Council of Ministers for the Defence of the Reich. Before so doing, I wish, however, to discuss the matter with you , Sir, personally, and to ask you to obtain the decision of the Fuehrer as to whether he agrees to the basic principles of the bill.

signed: Dr. Schlegelberger

H1239-0356

PARTIAL TRANSLATION OF DOCUMENT R-96
OFFICE OF U.S. CHIEF OF COUNSEL

Copy

The Reich Minister of Justice — Berlin W.8, 30th June 1941

9170 Ostgeb/2 - IIa 2 1826.41

Express Letter

To the
Reich Fuehrer SS and Chief of the
German Police in the Reich Ministry
of the Interior.

Subject: Administration of Criminal Justice in the annexed Eastern territories.

Reference: Letter to the Reich Minister and Chief of Reich Chancellory, dated 16th May 1941 - II A 2 (new) No.127/41 173/1 and the letter addressed to me by the Main Office of Reich Security, dated 29th May 1941 - II a 2 (new) No. 205/41 - 176 - 7.

2 enclosures.

In the enclosure I transmit the following documents on which I would ask you to give your opinion at an early date:

1) draft of an ordinance concerning the administration of criminal justice against Poles and Jews in the annexed Eastern territories and the area of the former Free City of Danzig;

2) copy of my letter to the Reich Minister and Chief of the Reich Chancellory, dated 17th April 1941 - 9171 Ostgeb. 2 IIa 2 996/41 - giving the reasons for this draft.

The draft has now been supplemented by Article XIII concerning the procedure of courts-martial. This supplementary article is based on a decision of the Fuehrer, of which I was informed through a letter from the Reich Minister and Chief of the Reich Chancellory dated 27 May 1941 - Rk 7760 B; according to this decision the Reich Governor in the Reich Gau Wartheland is to be empowered to introduce courts-martial against Poles in his district.

In order to obtain a quick settlement of this urgent matter which is of importance for the war, I should be grateful if a personal discussion could be arranged. I ask for telephone call to fix the time for a conference.

Charged with the conduct of affairs

(signature)
no name

Reich Main Security Office — Berlin SW 11, 11th July 1941
II A 2-No.342/41 - 173 - — 8 Prinz - Albrecht Street

(pencilled: Note on page 4 Kr.30th July)

Copy

Subject matter: Administration of Criminal Justice in the annexed Eastern Territories.

H1239-0357

PARTIAL TRANSLATION OF DOCUMENT R-96
Continued

1.) Note:

The ordinance draft, which was sent to us for consideration by the Reich Minister for Justice with a covering letter of 30th June 1941 (pages 161 ff. of the file), was discussed at an informative meeting of the competent officials of the Reich Main Security Office and of the Reich Civil Police Main Office, Reich Fuehrer SS - Reich Commissioner for the Consolidation of the German Race - took part in the discussions, because the invitation, dated 7th July 1941, arrived late.

The discussion had the following results:

I. The general lines of the provisions of chapter 1 (criminal law) and chapter 2 (criminal procedure) are to be approved. They correspond to the principles followed by the police in dealing with Poles.

It should however, be suggested to the Ministry of Justice to insert in Chapter 2, Paragraph XII, a minimum of legal guarantees for the legal procedure; this might be done by adding to the present version the following sentences:

"In any case however, the defendant should be granted a hearing, if need be with the help of an interpreter.

The names of the judges and of the defendant, the evidence on which the sentence is based, and the offence, the sentence with a brief opinion, and the date of the sentence should be taken down in writing in each case."

II. Chapter 3 (procedure under martial law) requires several modifications or clarifications:

1. The Reich Governors (Statthalter) are to be bound not only by the consent of the Reich Minister for Justice, but also by the consent of the Reich Minister of the Interior. This amendment is needed to safeguard the influence the police must have on introduction and procedure of martial law. Under the present provision, which requires only the consent of the Minister of Justice, there is the risk that the intended martial law becomes a martial law under the supervision of the administration of justice and not a martial law for the purposes of the police.

2. The Reich Governors must have authority to declare martial law uniformly for the whole area (Gaue) under their administration. The present wording (districts -"Bezirke") does not make it quite clear whether they have such authority.

3. The persons who are subject to the procedure under martial law should be the same as those to whom the other provisions of the ordinance refer. Therefore in Par. XIII Jews as well as Poles must be mentioned.

4. The jurisdiction of the courts-martial as stated in the bill is too narrow. They must be given authority:

   a) to pass judgment under martial law on all excesses, not only on more serious ones against Germans,

   b) to pass judgment under martial law, even on minor offences which seriously endanger the German reconstruction work because of their frequency.

The words "more serious" before "excesses" and before

[illegible]t.

"punishable offenses", must therefore be deleted from the draft.

5. Confinement to a concentration camp is, by definition, not a punishment but a measure of precaution. The provision whereby the court acting under martial law may sentence an offender to confinement in a concentration camp must therefore be amended.

The courts acting under martial law need, however, the authority to punish by imprisonment - though in this case it is for the Secret State Police and not for the law administration to carry out the sentence. The present wording of Paragraph XIII, sec.2 must therefore be changed to read as follows:

"The penalties to be inflicted by the courts acting under martial law are the death penalty or imprisonment (penal camp). The execution of the penalty of imprisonment is the duty of the Secret State Police."

6. It must be made clear whether the Reich Governors are authorized to implement independently the provisions regarding the nomination of judges for the procedure of courts-martial, or whether the Reich Minister for Justice intends to reserve the right to withhold his consent for a declaration of martial law unless the Reich Governors refer to him any steps they take in these matters.

III. The present wording of chapter 4 (extension of jurisdiction and authorization) does not take into consideration that the police is authorized at present to inflict penalties for minor offences of Polish civilian workers within the territory of the Reich. This power is based upon an authorization granted to the Reich Fuehrer SS by the Reich-Marshal. The provision as drafted would therefore mean a deterioration of the legal position of the police in favor of the judiciary.

Provision must therefore be made for one of two alternatives:

a) either the competence of the police as defined hitherto, must be maintained expressly,

b) or martial law must be made applicable to Poles within the whole territory of the Reich.

The latter proposal is preferable because it should be the ultimate goal to make Poles subject to the jurisdiction of the police.

IV. The items mentioned under No. I - III are to be discussed by department II A 2 with the Reich Ministry of Justice. It should be ascertained to what extent the Ministry of Justice is prepared to meet the wishes of the police. Thereafter the draft embodying the final position of the police toward the Reich Minister of Justice is to be submitted to the Reich-Fuehrer SS. The draft is to be signed by all police departments who participate in the discussion.

Copies to

a) Main Office Civil Police, c/o Ministerial Counselor Dr. Daemper,

b) Reich-Fuehrer SS, Reich Commissioner for the Consolidation of the German Race,

H1239-0359

c) Office III - III A 3)
)
d) " IV - IV D 2) of the Reich Main Security Office
)
e) " V - V A 2)

following my letter of the 7th July 1941 - II A 2 No. 205 VIII/41 - 176-7, for information.

by order:
signed: Neifeind.

certified (signed) Keller, secretary. (Stamp: Reich-Fuehrer SS and Chief of the German Police. The Chief of the Security Police and the SD (Security Service). In the Reich Ministry of Interior.

H1239-0360

PARTIAL TRANSLATION OF DOCUMENT R-96
OFFICE OF US CHIEF OF COUNSEL

(Stamp of)
The Reich-Fuehrer SS, Reich Commissioner
for the Consolidation of the German Race
Received: 14th July 1941 4 W
File No.: COI/28R/5th Aug. 1940.

1) Dr. Bilfinger Office II V informs me on enquiry that the draft has been amended by agreement with the Reich-Minister of Justice and has been submitted to SS-Group Fuehrer Wolff for signature. The draft will be forwarded to the Reich-Minister of Justice and will be described as the final opinion of the Police.

We shall receive copy.

2) To be submitted again 19th August.

initialled: 30th July.

- - - -

Copy

The Reich-Fuehrer SS
and
Chief of the German Police
in the Reich-Ministry of
the Interior

S II A 2 No. 342/41 - 176.

Berlin SW 11, 1st August 1941
8 Prinz-Albrecht Street

(pencil remark: To (illegible) for information.
I have no objections against the proposals.
Signed: Dr. Kr 27th Aug.
c - 3/1-3)

To the
Reich Minister for Justice
Berlin, W.8.
Wilhelmstr. 65

Subject Matter: Administration of Criminal Justice in the Annexed Eastern Territories.

Reference : Express letter dated 30th June 1941 - 9170 Ostgb/2 - II a 2 1826.41

With reference to the discussion held by our respective officials on 14 July 1941, I wish to make the following comments on the draft you have submitted:

Generally I agree to the draft and welcome the special conditions to which Poles and Jews are to be subject both with regard to criminal law and criminal procedure. The reintroduction of martial law in the annexed Eastern territories conforms with the wishes I have expressed several times.

I request you, however, to take into consideration the following specific points:

1. According to Paragraph XII the procedure is to be arranged by the court and the public prosecutor as they think fit in consideration of their duty. On principle I agree with this. However, in the earlier draft for a court-martial procedure which was worked out with your collaboration, a minimum of legal guarantees was provided for. This I would like to see preserved in future also. The present wording of Paragraph XII would result in an unusual situation whereby the rules for ordinary procedure would be less stringent than those for the proced-

H1239-0361

H1239-0362

ure under martial law. Therefore, please amend the wording of Paragraph XII accordingly.

2. In Paragraph XIII (procedure under martial law) please provide for the consent of the Reich Minister of the Interior in addition to consent of the Reich Minister of Justice.

3. During the discussion of the bill by the officials concerned, it became clear that the Reich-Governors (Reichsstatthalter) should be authorized to declare martial law for any parts of their area as well as for the whole of their area. The present wording is open to doubt, I propose therefore the following wording:

"....for the area of his administration or specified parts thereof".

4. Although it may safely be assumed that in the future there will be no more Jews in the annexed Eastern territories, I am of the opinion that under present circumstances it is very urgent to provide martial law not only for Poles but for Jews as well. Therefore please insert in Paragraph XIII after the word "Poles" the words "and Jews".

5. Concerning the clause "and for other more serious offences which gravely endanger the German reconstruction work", please delete the word "more serious" so that martial law may be applied also to those cases which in themselves are not particularly serious but which might become a serious danger to the German reconstruction work because of their frequency, (e.g. smuggling), and which urgently require immediate and draconic action for purposes of intimidation.

6. So far, the Secret State Police alone imposes protective custody. Furthermore, portective custody is by definition not a punishment but a measure of precaution and education. Therefore please amend section 2 of Paragraph XIII to read perhaps as follows:

> "The penalty to be inflicted by the courts under martial law is the death penalty. The courts proceeding under martial law may, however, dispense with punishment and order transfer to the Secret State Police instead."

In this way due consideration would be given to the wishes of the Fuehrer and the aforementioned difficulties of terminology would be avoided.

7. I agree also to the extension of jurisdiction as provided in Paragraph XIV. But as you know, Reich-Marshal Goering, in his ordinance of 8 March 1940, has delegated to me the responsibility for the proper conduct of the Poles. He has authorized me to issue the legal and executive provisions necessary for this purpose. I have made use of this authorization by issuing the ordinances dated 8 March 1940 - S IV D 2 No. 382/40 - and 3 September 1940 - S IV D 2 No. 3382/40. These ordinances are also known to you. The present wording of Paragraph XIV does not make it quite clear whether this arrangement will remain unaffected. I note that the draft is not intended to bring about any change in this arrangement; I consider it necessary nevertheless, to make it quite clear by means of a brief remark in Paragraph XIV, that the aforementioned authorization granted to me by Reich-Marshal Goering and the ordinances issued by me remain unaffected.

By order:
Signed: Heydrich.

H1239-0363

Reich Main Security Office
II A 2 No. 342/41 - 176 -

Berlin, the 11th August 1941

Copy

to Reichs-Fuehrer SS - Reich-Commissioner
for the Consolidation of the German Race
c/o attorney Dr. Kraeuter - or his deputy -
in Berlin

By order:

Signed Neifeind.

Certified (signed) Heybutzki, secretary.

Stamp of: The Reich-Fuehrer SS and Chief of the German Police in the Reich-Ministry of the Interior.
The Chief of the Security Police and the SD (Security-Service).

Stamp of: The Reich-Fuehrer SS, Reich Commissioner for the Consolidation of the German Race. B
Received: 14th August 1941.
File No: C - 3/1 - 3/1st Aug. 1941.

Submitted to Dr. Kraeuter for action 15 Aug. (initials).

CERTIFICATE OF PARTIAL TRANSLATION OF DOCUMENT NO. R-96

29 November 1945.

I, ERNST M. COHN, Pfc, 33925738, hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a correct and true translation of Document No. R-96. Partial Trans.

ERNST M. COHN,
Pfc, 33925738.

H1239-0364

TRANLATION OF DOCUMENT NO. R-101
OFFICE OF U.S. CHIEF OF COUNSEL

Translation

Ko/4/16.1.40

The Chief of the Security Police
and of the Security Service SS

Berlin S.W.68, April 5th 194
102 Wilhelmstreet

II B 3-II 1131-C.42-21 Tr./Is
Please mention the Ref. Nr. and date when replying

To
The Reich Commissioner for the consolidation
of German Folkdom
c/o SS-Brig.Ldr.Griefelt

Berlin Halensee
142 Kurfuerstendamm

Subject: Expropriation of property owned by Churches and Monasteries for the purpose of resettling persons of German race.

Ref: Letter of 16 Jan. 40 C II 2-Dr.W/Sa

Encl: 3 files, 1 list, opy of a letter, plans of buildings.

Enclosed I submit for your information, copy of a letter addressed by the Chief of Security Police and Security Service to the Reich Leader SS. and Chief of the German Police on 21 Feb.1940. The Reich Leader SS has agreed to the proposals made in the enclosed letter and has ordered the matter to be dealt with by collaboration between the Chief of the Security Police and Security Service and your office. The measures agreed upon are to be carried out by means of the Law concerning Appropriation of Real Estate for the use of the German Forces ("Wehrleistungsgesetz") under the heading "The Reich Commissioner for the Consolidation of German Folkdom". In regard to Par.4. of the enclosed letter the Reich Leader has made the marginal comment "Very Good". Furthermore I submit 3 files with detailed material on the Church property in question.

Would you please get in touch with my office, after having read the files, so that further measures can be taken in hand.

By Order

(signed) Six
"Standartenfuehrer SS"

DOCUMENT R-101A, (Enclosures)

COPY

The Chief of Security Police
and the SD

Berlin SW 11, 21 Feb.1940
Prinz-Albrecht-Street 8

II B 3 II 1131
C,42-21

Personal!

TO: Reichsführer SS and Chief of the German Police
Berlin SW 11, Prinz-Albrecht Street 8.

Subject: Expropriation of Churches and Monastries for the Accommodation of Racial Germans.

H1239-0365

Reference: Letter of the Reich Commissioner for the Consolidation of German Folkdom. C II 2 - Dr W/Su of 16.1.1940

Enclosures: 3 files, 1 list.

Enclosed is a list of church possessions which might be available for the accommodation of Racial Germans. The list, which please return, is supplemented by correspondence and illustrated material pertinent to the subject.

For political reasons, expropriation without indemnity of the entire property of the churches and religious orders will hardly be possible at this time.

Expropriation with indemnity or in return for assignment of other lands and grounds will be even less possible.

It is therefore suggested that the respective authorities of the Orders be instructed that they make available the monasteries concerned for the accommodation of Racial Germans and remove their own members to other less populous monasteries.
(Marginal Note opposite this paragraph: "Very Good" in pencil)

The final expropriation of these properties thus placed at our disposal can then be carried out step by step in course of time.

It is suggested that the help of the Reich Union for Folk Welfare and Resettlement Aid be enlisted for the detailed work; that organization has at its disposal an appropriate number of experts trained in this field.

(Marginal Note opposite this paragraph: Chief is Sturmbannführer Dr. Röhrich! Take care! "in pencil")

(signed) Heydrich
SS-Gruppenführer

Appended are:

List of items submitted to the Reichsführer SS in the original.

Concerning determination of suitable monasteries for the housing of Teachers' colleges.
(follows: list of documents pertaining to monasteries by localities: 1) Frankfurt on Rhein, etc. to 18)

Concerning accommodation for Baltic Germans who cannot be used for work
(follows: list of documents pertaining to monasteries by localities: 19) to 21)

- - - - - - - - - - - -

CERTIFICATE OF TRANSLATION
OF DOCUMENT NO. R-101A

2 November 1945

I, FRED NIEBERGALL, 2nd Lt. Inf 0-133 55 67 hereby certify that I am thoroughly conversant with the English and German languages; and that the above is a true and correct translation of Document No. R-101A.

FRED NIEBERGALL
2nd Lt. Inf.
0-133 55 67